

**PACKET OF PUBLIC COMMENT**

Advisory Plan Commission

July 6, 2015

## **PUBLIC COMMENT #1**

### **Subject: ORD 15-14, Tamarack**

Tamarack at NE corner of 161 & Oak Rd is being introduced to City Council this evening.

It is across the street from Oak Park and next door to Oak Manor.  
These are all pretty much the same house with different facades.  
Is this what we are looking for considering the higher surrounding standards?

Do we allow garages to ALL open to the street and ALL bump out like this?  
Me thinks not!

Respectfully,  
Mic Mead

## **PUBLIC COMMENT #2**

### **Subject: Re: ORD 15-14, Tamarack**

We have lived in Oak Park for over 20 years. During this time we have enjoyed the openness of the area. In the past year this openness has been challenged with the infill of Pedcor/Estridge trying to squeeze a few more houses into Oak Park that didn't look like the other, more spacious, lots in the existing neighborhood. Now the new proposed Tammarack comes along with 1400 SF SF4 sized lots just due north of Oak Park and south of Oak Manor. The additional road cuts will bring safety issues on a very busy 161st street and Oak Road. This is a bad idea. The gas pipeline will squeeze more homes into a beautiful area of Westfield that should be preserved.

I will attend the City Council meeting tonight with some of my neighbors to hear about this new PUD. SF 4 neighborhood that will offer a tax burden for our schools and existing business and homeowners.

Dave Mueller

Homeowner and HOA president

### **PUBLIC COMMENT #3**

#### **Subject: Re: ORD 15-14, Tamarack**

I too am on Oak Park's HOA Board and have lived in Oak Park for 19 years. I agree this proposed development is not congruent with the surrounding neighborhoods and am concerned how this development will take shape with the existing gas pipeline. It has become increasing difficulty to enter/exit Oak Park onto 161st street with the heavy traffic and am greatly concerned how future development will increase the traffic flow even more.

I am not available to attend tonight's meeting. But will be attending future meetings in opposition to this development.

Thank you for your time,  
Nancy Anderson

## **PUBLIC COMMENT #4**

### **Subject: Re: ORD 15-14, Tamarack**

Hello All,

Mick and Dave, thanks for the head's up on tonight's meeting which I won't be able to attend due to a prior commitment.

Our community at 161st and Oak Road consists of beautiful homes in Oak Manor and Oak Park, with more coming at the southern border of Oak Park. Also, Jim Langston is putting more nice homes in across from Acorn Farms south on Oak Road.

Our 7 residents on Oakwoods lane across the street from the proposed new Tamarack development (the field with the diagonal pipeline underneath it), have comfortable homes on 3-4 acre wooded lots that were mostly built in the early 1980's.

Why would Westfield want to cram a bunch of similar floor-plan "ticky-tack" homes on 1400 sq. ft. lots in our 161st and Oak Road neighborhood filled with beautiful homes? (Is Westfield trying to become another "Levittown, PA", which tried that concept 60 years ago?)

When many of us spent 2 years working on "Westfield's Comprehensive Plan", it was with the objective to provide "continuity" within neighborhoods, not doing a "mix and match" of different neighborhood qualities jumbled up together.

Issues like this are the reason that the Washington Township Neighborhood-SE(WTNT), was started by Dr. Terry Parke and Bill Bangs(now deceased) to prevent developers from waltzing into nice neighborhoods in our section of Westfield hoping to "get-rich quick" with housing "not consistent" with that already in place there.

John Boyer  
WTNT-President

## **PUBLIC COMMENT #5**

### **Subject: Re: ORD 15-14, Tamarack**

This is a follow-up note regarding the Westfield Development presentation at the last WeCan meeting.

As I commented at the time, the update only focused on the number of building permits issued. My follow-up question was in regards to how Westfield assesses the quality of construction and how its standards compare to Carmel's. The response in the meeting appears to suggest that there is no overall quality assessment nor associated process.

I understand that a proposal for a new development for the corner of 161st and Oak Road will be introduced at this evening's City Council meeting. This proposal strongly reflects the development quality issue. The development proposal includes 1400 sq ft homes. The single line placement of some of the homes reminds one of the Pulte construction in Viking meadows about which I've heard many derisive comments regarding their appearance along 161st street.. The new development is also inconsistent with surrounding neighborhoods such as Oak Manor, Brookside, Bridgewater, etc.

From a size comparison, I did a quick internet search and noted double wide mobile homes starting at over 1400 sq feet ([www.solitairehomes.com](http://www.solitairehomes.com)).

As a possible reflection on the city's image, I wonder if a developer would even make such a proposal in Carmel.

Thank you for your earlier feedback regarding my question. Your stewardship of WeCan is much appreciated.

Mike

I've copied Jonathan Dilley, Oak Manor HOA president, on this message.

## **PUBLIC COMMENT #6**

### **Subject: Tamarack Development**

All,

Just a couple of comments. I am speaking as an Oak Manor resident and not in my position as an Oak Manor board member.

Tamarack Development Concerns --

Traffic at the Oak Road and 161st intersection is of concern as well as the change in zoning.

Why should a change in zoning be granted? This would, as I understand it, allow for much smaller homes as well as smaller lot sizes than the surrounding neighborhoods.

While the 11 lots accessing Oak Road will not affect Oak too much, the others will add to what is already becoming a major traffic issue in Westfield. At the least the future roundabout at 161st and Oak should be completed before approval of this project is even considered.

Perhaps the developer should be required to install this roundabout?

This applies to the proposed roundabout at 161st and Union also. Just drive there at morning or evening rush hours.

I do plan on attending the hearing next Monday.

Thanks,

Larry Clarino  
2533 Live Oak Lane (Oak Manor)  
Westfield.  
317-896-9689

## **PUBLIC COMMENT #7**

### **Subject: MI Homes proposed Tamarack development for NE corner of 161<sup>st</sup> and Oak Roads**

Dear Members of Council,

I'm writing to voice my strong opposition to the current proposed development on the corner of 161<sup>st</sup> and Oak roads by MI homes. I understand that the land will be developed, but I think it needs to be done in a way more consistent with the surrounding neighborhoods. The development of Oak Park across the street has single family homes on very large lots. These homes, along with the homes in Bridgewater, have some of the highest property values in Westfield. Allowing a rezoning to SF-4 would create a very dense zero lot-line neighborhood immediately across the street from our homes. There would undoubtedly be a significant negative impact on the value of our homes. The council was very helpful and understanding recently when Pedcor proposed developing the land within Oak Park in way that was inconsistent with the surrounding neighborhood. We successfully lobbied for significant changes to lot size and home density, and preserved the character of our neighborhood. Likewise, we feel that compromised should be made by MI homes in their Tamarack development.

I have several specific concerns that I would like to address. The first is overall neighborhood density and traffic patterns. As Oak Road becomes busier over the years, adding a high density neighborhood with an entrance just across the street from Oak Park's entrance will significantly increase traffic and the risk of accidents when neighbors pull out of the neighborhood. We saw this happen to Foster Estates when a young teenager was killed pulling out of their neighborhood onto a much busier 146<sup>th</sup> street.

The increased density will also mean more street parking, effectively narrowing the street. This will absolutely inhibit emergency vehicular traffic. This is especially disturbing given the fact that most of these houses will be sitting 20-30 feet from major gas pipelines and too close together for an emergency vehicle to drive between any of them.

Finally, we'd ask you to consider the overall feel of the surrounding neighborhoods that are currently built. The homes to the northwest of 161<sup>st</sup> and Oak (Oak Woods Lane) are on large lots, as are the homes on Cool Creek Circle between Oak and Westfield. My house sits off of Oak Road on 2.4 acres, and I think it would be crazy to ask to tear it down and replace it with 10 houses on a quarter acre each. That's simply not the character of this part of Westfield that we moved into. I would ask that you please try to keep the new development in the spirit and character of the other neighborhoods that surround it.

Many thanks,

-Matt Priddy

## **PUBLIC COMMENT #8**

### **Subject: Ordinance 15-14 – Public Comment – Tamarack (DILLEY)**

Dear Councilmembers, APC members, and staff,

In response to the requests for public comments on Ordinance 15-4, the Dilley Household (16421 Oak Manor Drive) respectfully submit the following for your consideration. Please confirm receipt of this correspondence.

Regards,  
Jonathan & Kiersten Dilley

#### **ORDINANCE 15-14**

1. **Lot Sizes (Ordinance 15-14, Sec. 4).** We request that the proposed development is a “step-down” from the SF2 zoning of Oak Manor (*i.e.*, SF3). According to the Westfield-Washington Township Unified Development Ordinance (4.5), the minimum lot size for an SF3 subdivision lot is 12,000+ square feet (15,000 for a corner lot). We request that all lots within the proposed Tamarack neighborhood meet the SF3 requirement and not be rezoned to SF4. This would be an appropriate “step-down” from the surrounding neighborhoods.
2. **Square Footage (Ord. 15-14, Sec. 6.5).** To ensure an appropriate “step-down” transition from the surrounding neighborhoods, we request that Tamarack homes begin at 2,061 square feet and limit those to 20% of homes sites.
3. **Setbacks (Ord. 15-14, Sec. 6.1-6.4).** We request that the front, side, and rear yard setbacks and the minimum lot width meet SF3 requirements.
4. **Drainage.** We are concerned about storm water runoff and request assurances from M/I Homes and the city that runoff will be collected and handled within the Tamarack development. There are already concerns about appropriate drainage along the north side of the proposed development.
5. **Safety.** With regards to the cul-de-sac with its entrance off of Oak Road, what happens if an accelerator sticks or someone has a medical emergency and their car continues forward at the end of the cul-de-sac? They would crash into Oak Manor’s south fence line and possibly continue into one of the houses along Oak Manor Drive. We request a raised berm (that would adequately address concerns raised in No. 4 above) be constructed along the Oak Manor fence line. In addition, at the end of the cul-de-sac, we request a stone retaining wall be constructed within the berm.

6. **Headlights.** We are concerned about headlights shining into the homes along Oak Manor Drive. Please see Nos. 5 and 8. We believe our requests will address this concern.
7. **No. of Model Options.** We request that M/I provide potential buyers with additional model/elevation options of the same quality to the three model options currently proposed.
8. **Buffer to Oak Manor (see attached).** With regards to the 30 foot buffer between the Oak Manor fence line and the Tamarack development, we request that 1) it be an elevated berm, 2) there are more evergreen trees planted instead of shade trees, 3) those evergreens are 8' instead of the proposed 6', and 4) the shade trees are 3" instead of the proposed 2".
9. **Lot #4 Location (see attached).** With regards to the location of the proposed home on Lot #4, we request that M/I Homes—should the development proceed—agree to locate the home as close as allowed to the adjoining Lot #5 property.
10. **Traffic.** Prior to any recommendation from the Advisory Plan Commission, we request that the traffic study be completed and provided to the public. At the very least, we respectfully request written assurances from the city prioritizing the construction of roundabouts at 161<sup>st</sup> and Oak Road and 161<sup>st</sup> and Union. These roundabouts should be built with no intrusion on existing single-family properties.
11. **Over-development for Similar Target Populations.** Look no further than the proposed Lantern Park (161<sup>st</sup> and Union) and in-development Viking Enclave (1,600+ sq ft, starting at \$206k) neighborhoods. How are we positive of market demand? We request that the APC and City Council clearly state their philosophies on Westfield residential, commercial, and industrial development.

Jonathan Dilley  
*Senior Vice President and Chief of Staff*  
Project Lead The Way, Inc.  
3939 Priority Way South Drive, Suite 400  
Indianapolis, IN 46240  
phone: 317.669.0869 | mobile: 202.714.4154  
fax: 317.663.8296  
@Dilley\_PLTW  
[www.pltw.org](http://www.pltw.org)

## **PUBLIC COMMENT #9**

### **Tamarack Development- M/I Homes- 161st and Oak Road**

To the Westfield Planning commission, and Council Members of the City of Westfield,

Thanks for your time and consideration, in regards to our concerns about the M/I Development planned at 161<sup>st</sup> and Oak Road.

I wish to keep my concerns simple, but I strongly believe my neighbors and friends concerns will be similar.

I believe the current planned development will negatively impact the surrounding neighborhoods of Oak Manor, Oak Park, Brookside and Bridgewater. I believe the lot sizes and home sizes being 30-50% smaller than the surrounding CURRENT neighborhood does not reflect the value of homes that we would like to see built immediately adjacent to our neighborhoods.

In addition, I have learned that there is another approved plan to construct larger homes.... On smaller lots.... At 161<sup>st</sup> street and Union. To rephrase that development, it is looking for empty nesters or "maintenance free" home buyers.

I support the plan for the development at 161<sup>st</sup> and Union, and would urge our council and APC to request that M/I homes increase the lot size and minimum home size for the planned Tamarack Neighborhood.

I would like the minimum size of the home/dwelling to match the current planned development at 161<sup>st</sup> and Union.

I hope my simple request makes sense, and my concerns are reasonable.

As a homeowner and business owner in Westfield, I thank you for your service to my City, family, and clients

#### **Ben Brown, Agent**

State Farm Insurance

2750 East 146<sup>th</sup> Street, Ste 204

Carmel, IN 46033

Ph: 317-569-9200

Fx: 317-569-9232

Email: [ben@bbrown.com](mailto:ben@bbrown.com)

Visit us at [www.bbrown.com](http://www.bbrown.com)

## **PUBLIC COMMENT #10**

### **Subject: Tamarack Development**

I am a resident of Oak Manor Neighborhood and have followed the process of this proposed ordinance concerning the Tamarack Development. I can understand the difficulty of the council and a person in your position of balancing the projects that are brought to the council and the underlying economics of these transactions, along with the overall well being of Westfield. I would ask that you and the council consider a few adjustments concerning the scope/quality of this proposed development, in order to be consistent with the surrounding developments:

#### *Lot sizes:*

The proposed lot sizes are concerning in that they are much smaller and less desirable than the corresponding neighborhoods (Oak Manor / Bridgewater). I understand that they are desired to be smaller, since they are targeting empty nesters, but it is my desire that the lot sizes meet the definition of SF3, instead of SF4 as proposed.

#### *Exterior of Houses:*

The pictures presented in the ordinance are fantastic, but are only optional and not mandatory for the individuals that would buy in this neighborhood. Can you please address the concern that the buyers will put it in homes that are not up to the standards of the pictures?

#### *Drainage:*

We are concerned that drainage is not adequately addressed. Can we please be provided with protections against drainage being contained in the development?

#### *Setbacks:*

We request that the front, side, and rear yard setbacks and the minimum lot width meet SF3 requirements.

#### *Buffer to Oak Manor:*

We request an elevated berm with evergreens on top to insulate us from this new community.

#### *Traffic:*

Prior to any recommendation from the Advisory Plan Commission, we request that the traffic study be completed and provided to the public. If that is not possible, I request written assurances from the city prioritizing the construction of roundabouts at 161st and Oak Road and 161st and Union, as these are needed currently without the proposed subdivision.

I appreciate your time and will be attending the meeting on June 1. I would appreciate a confirm receipt and any further understanding to these topics above.

Thank you,

Matthew J. Howard, CPA

16402 Chalet Ci, Westfield, IN 46074

## **PUBLIC COMMENT #11**

### **Subject: Concerned Oak Manor Resident: Tamarack Development -- for Public Comment Period**

For the new neighborhood development--Tamarack--proposed for the farm at the corner of Oak Road and 161st Street.

Oak Manor, Oak Park, Brookside, and Bridgewater surround this proposed development. Assurances should be made to guarantee an appropriate level of quality housing consistent with the area.

I am an Oak Manor resident, and these are my concerns & requests regarding the proposed development.

1. Lot Sizes (Ordinance 15-14, Sec. 4).

Please require that the proposed development meet the SF3 lot size requirement set forth in the Westfield-Washington Township Unified Development Ordinance (4.5). All lots within Tamarack should meet the minimum SF3 lot size (12,000+ square feet, or 15,000 for a corner lot). The proposed Tamarack neighborhood should not be rezoned to SF4.

2. Square Footage (Ord. 15-14, Sec. 6.5). Tamarack homes should have a beginning 2,061 square feet and limit those to 20% of homes sites.

3. Buffer to Oak Manor. The proposed 30 foot buffer between the Oak Manor fence line and the Tamarack development should be an elevated berm with evergreen trees planted at 8' instead of the proposed 6'. All trees should be evergreen to ensure a year round "buffer".

4. Traffic. Prior to any recommendation from the Advisory Plan Commission, a traffic study should be completed and provided to the public. The city should commit to prioritization of roundabout construction at 161st and Oak Road.

5. Drainage. Storm water runoff must be addressed. M/I Homes and the city should ensure that runoff is collected and handled within the Tamarack development.

Donna Van Huis  
Oak Manor Resident

## **PUBLIC COMMENT #12**

### **Subject: Tamarack Development**

I write regarding the proposed Tamarack development at northeast corner of 161<sup>st</sup> St. and Oak Road in Westfield. I am a resident of Oak Manor, a community adjacent to the property under consideration for development.

When considering the purchase of our home, we looked at a home on Oak Manor Drive in the Oak Manor neighborhood. We did not purchase it. The back of that house faces the property under consideration for the Tamarack community. One concern of ours when considering to purchase that home was obviously the risk of future development in the vacant field behind it. In its present, undeveloped state, it can be a lovely vista for the affected homeowner's backyard views. We were advised by one of the realtors (I cannot recall if it was ours or the seller's) that the property was unable to be developed because a cross country natural gas pipeline runs underneath it. I am very familiar with that pipeline. I recall when it was constructed as it went through the property (undeveloped) owned by the church and school where my family attends, *i.e.*, Our Lady of Mount Carmel, located at the corner of 146th Street and Oak Ridge Rd. in Carmel. That pipeline runs from a northeasterly to southwesterly direction and appears to me to run through the property at issue with Tamarack.

Perhaps I was misinformed by the real estate agents as to the inability for development on that piece of land. It was not a deciding factor as to why we did not purchase that home. We simply found a home with a more appropriate floor plan for our family in the same neighborhood. That being said, I think serious environmental study needs to occur regarding this potential hazard. Even if the pipeline is buried deep enough so as not to be compromised by any new construction, it would cause me great concern as a homeowner purchasing property directly above it. Assuming the development passes any environmental study, I think the developer must engage in full disclosure with regard to the pipeline to any prospective homebuyer. Additionally, as a nearby resident, I remain deeply concerned about a construction project of this magnitude and the risks it poses to the structural integrity of the pipeline. A gas leak and/or explosion could have devastating consequences not only to the adjoining neighborhoods but to the City of Westfield as a whole. It may also have nationwide impact as it would disrupt the delivery of natural gas to its intended destinations.

I may be speaking out of turn and my concerns may well have been considered already. In my admittedly rudimentary review of the information concerning this development, I have not seen anything regarding the pipeline. If the reason for that is my concerns listed above have not been addressed, I think it would be highly irresponsible if the pipeline concerns were not thoroughly studied and all concerns were satisfactorily addressed prior to any consideration regarding approval of this project.

Thank you for your time and feel free to contact me with any questions or concerns.

Fred

Frederick Vaiana  
VOYLES ZAHN & PAUL  
141 East Washington Street, S. 300  
Indianapolis, IN 46204  
(w) 317.632.4463  
(f) 317.631.1199  
[fvaiana@vzplaw.com](mailto:fvaiana@vzplaw.com)  
[www.vzplaw.com](http://www.vzplaw.com)  
[www.frederickvaianalaw.com](http://www.frederickvaianalaw.com)  
[www.superlawyers.com](http://www.superlawyers.com)  
[www.thenationaltriallawyers.org](http://www.thenationaltriallawyers.org)  
[www.national-academy.net](http://www.national-academy.net)

## **PUBLIC COMMENT #13**

### **Subject: Tamarack New Development**

**I am writing to voice my concern about the new subdivision that is going in next to Oak Manor.**

When looking at Tamarack's information, I see that their lots are smaller than what is required for Oak Manor. The minimum is about 12, 500 square feet and larger for a corner lot here in Oak Manor. I would ask that Tamarack be made accountable that their lots fall into the same requirements as Oak Manor.

I also request that there be a DEFINED buffer between Oak Manor and Tamarack with evergreen trees. The proposed 6' trees are not acceptable, I request that the trees be 8-10' instead of the 6" they have requested.

Please feel free to call me or email me back if you need more information from me. I will be attending the meeting coming up.

Thank you for your time

Maria Seager

## **PUBLIC COMMENT #14**

### **Subject: Tamarack Comments**

From Ron and Tammy Loera-16405 Oak Manor Dr

Safety concerns:

- 1- Has the pipeline manager and the appropriate state regulators approved the proposed project?
- 2- Does MI Homes have a written comprehensive safety plan to address working in close proximity to these Pipelines?
- 3- Are there specific guidelines for using heavy equipment for excavating near or over the top of the pipeline?
- 4- Have all guidelines and safety considerations been taken into account for infrastructure that will be crossing the pipelines?
- 5- Will a representative be on site if/when pipelines are exposed?

Drainage

- 1- This property has standing water after it rains. There were concerns brought up at the neighborhood meeting last week. The proposed design has drainage flowing into a new pond which will overflow into an existing drainage structure. One comment at the meeting stated that there are currently existing drainage issues in the proposed pond area. What steps are going to be taken to make sure that excess water does not flow back into Oak Manor and surrounding areas?

#### **PROPOSED STRUCTURES**

- 1- 1400 minimum square foot home is much too modest a size for comparable area.
- 2- MI Homes needs to commit to a minimum base price, not based on potential upgrades.
- 3- Base price should be in line with existing neighborhoods.

#### **PROPERTY ADJACENT TO OAK MANOR**

- 1- Increase building set back on North side of property (lots 3 and 4) from proposed 30' to 50' . This will keep the average back yard to back yard distances more in line with Oak Manor standards.
- 2- Lot 3 to have garage load on the south side of structure.
- 3- Lot 3 to have lowest profile single story. No story and half.
- 4- Cul de sac that accesses lots 1-11, no street light that will illuminate Oak Manor back yards.
- 5- The northern boundary of Tamarack adjacent to Oak Manor should have a heavily landscaped berm which will consist of mature plantings (trees/evergreens) to be maintained by Tamarack .
- 6- Common area behind lots 1-3 to have no structures/improvements, to remain green space.
- 7- No walking paths along northern boundary adjacent to Oak Manor subdivision.

Feel free to call or email Ron: [ronloera@yahoo.com](mailto:ronloera@yahoo.com). 317-504-5092

Respectfully submitted,  
Thank you,

Ron and Tammy Loera

## **PUBLIC COMMENT #15**

### **Subject: Proposed Tamarack Edition**

Westfield council and members,

I am writing to voice my concern with the MI home high density development of Tamarack. The development is on the NE corner of 161st street and Oak Roads. The development will have too many homes for 161st to accommodate and the traffic and overall feel of our area is being compromised. I live in Oak Park and while I realize that the trend is for smaller lots and bigger empty nest type homes; the proposed development appears to pack 3-4 homes on an acre lot. Westfield is championing green space and fitness along with family wellness. The boon of neighborhood developments is really undermining this feel and increasing traffic flow while cutting down trees and native foliage. I urge you to vote NO to rezoning the proposed Tamarack development from SF2 to SF4.

Thank you for your consideration,

Julie Barnes  
3131 Joshua Circle

## **PUBLIC COMMENT #16**

### **Subject: Tamarack Housing Development Concerns**

Dear Westfield City Council,

As a homeowner in Oak Manor since 2012, I have grown to appreciate and love the community of Westfield. To the degree that I have encouraged others to consider moving to Westfield for the focus on family, great schools and a commitment to excellence. As a result of this, I fully support growth and great housing in the community of Westfield.

However, I am also concerned about the value of my home - and the overcrowding of homes in communities. My husband and I lived in Fishers for 7 years, and as we decided to move out of our home, Fishers was not even a choice because of the overcrowding of home communities and what has the impression of a lack of thoughtful planning in the development of housing communities. Fishers is crawling with great subdivisions where the home are on top of each other, and there isn't sufficient green space. Westfield was the top choice for us, because we believe there is a commitment to thoughtful home planning (like Zionsville) and a deep respect for preserving land even within home developments.

As a result, it is of great concern to me to see the development, Tamarack, proposed as it is today at the corner of 161st and Oak Road.

As I review this plan, it appears to me that a buffer between these communities needs to be protected (with an elevated berm, and more evergreen trees planted to create boundaries and that there is a sense of elevated topography to not have "homes simply on cornfields" which is the look of Fishers.

One of the additional drawbacks of the mass housing that has taken place in Fishers is the lack of options and customization. I would request that M/I include more than three floor plans/exterior to residents, to continue with Westfield's approach to a community and not cookie cutter approach to housing.

Lastly, when we purchased our home in Oak Manor - we did this with full knowledge that we could have a housing community behind us, but we were informed that it was zoned to be estate homes. The development M/I has proposed is below this estate home (SF2 or SF3 zoning) as previously communicated. In my opinion, it seems that it is too much of a step down to go from large custom homes to be abutted to not be rezoned to SF4.

I am in full support of housing development in westfield, as it truly is a great place to live. However, I would respectfully request as council members you seek to maintain thoughtful planning and hold builders to the standards (zoning) originally intended for this land to ensure our developments have the appearance of thoughtful and intentional development, rather than mass home building.

Kindest regards,

Amanda J. Biedess

## **PUBLIC COMMENT #17**

### **Subject: Tamarack Community Impact Concerns - Ord. 15-14**

Dear Jeffrey, Council Members:

As impacted adjacent residents, we are responding with our concerns regarding the planned Tamarack Community as outlined in the referenced ordinance. While for selfish reasons we would not like to see that parcel developed, we understand that is an unrealistic expectation in a growing community and the development will happen. It is just what type of development. We strongly feel that any new development should dovetail with the existing neighborhoods and transition into another. Based upon the ordinance presented to the city council and the neighborhood meeting at MI homes, we have the following comments and recommendations. In general, all the adjacent or adjoining neighborhoods are currently zoned AG-1 or SF-2 (low density) housing. As proposed the Tamarack proposal would be an SF-4 (high density) neighborhood. Therefore we would proposed the ordinance and community be changed to meet SF-3 requirements. Traffic is also a major concern for 161st street. It is already a high traffic area prone to back-ups now that the Hwy 31 exit is complete. Our concern is this high density neighborhood will only exacerbate the current bottleneck. Councilman Stokes indicated that a traffic study is underway. We would like to see the city council review the results of that study before any final decision.

Our specific list of inputs is below.

- Square footage be held to a minimum of 1900 SF on main level as a stepped down but transition in size from the adjacent communities.
- Lot sizes to meet SF-3 requirements
- Set back distances likewise to meet SF-3 requirements

Additionally, the directly impacted neighbors may have specific items as it impacts them. I can think of the setback for the cul-de-sac from the property line as an example. I am assuming the MI would be willing to make modifications to accommodate these.

We will not be able to attend the APC meeting on June 1st as we already had business travel planned prior to learning of the proposal and meeting. It was quite irritating that two weeks is the amount of time allotted for community input. While we will not be there, these are strongly felt requests and we will attend all other public meetings on this ordinance.

Sincerely,  
Roy & Adrienne Maynard  
16425 Oak Manor Drive  
Westfield, IN 46074

## **PUBLIC COMMENT #18**

### **Subject: MI Homes Development Concerns**

Jerry Hollan  
2902 E. 161<sup>st</sup> Street  
Westfield, IN 46074

I am representing my wife and I regarding our property concerns by MI Homes, Tamarack PUD Rezoning Approval Petition request.

**Lot and House Sizes:** Lot and House Sizes are small in size.

Solution: Lots and Home sizes should be consistent with Oak Park and Oak Manor subdivision.

**Housing Developments:** Four new Housing Developments are located within a mile of Tamarack proposed development plus the completion of existing housing developments which will have future impact on Streets, Police and Fire Departments and Public Facilities. Additional people will have to be hired to staff facilities.

Solution: Impact Study needed. Take a wait and see approach until we can realize the Impact Study results on new and existing developments on public facilities.

### **Landscaping:**

Leave the existing trees and bushes located approximately fifteen feet West of the entire East North and South Property Line and include a berm with Conifer Trees as a buffer.

### **Retention Pond and Drainage:**

**Retention Pond:** We do not want a Walk Path located on the Buffered Yard easement area between the East Side of the Pond and our property line.

**Drainage:** Concern about the flooding from the Retention Pond when unusual weather conditioners occur. Engineers need to verify that the ditch and the pipe flowing south under 161<sup>st</sup> Street will handle Retention Pond overflow.

The reasons we selected our property several years ago with fewer houses, larger lot sizes, open spaces, more greenery, horse farms and agricultural properties. We respectfully request that you do not approve the Tamarack Housing Addition as proposed.

## **PUBLIC COMMENT #19**

### **Subject: Re: MI Homes of Indiana, LP - Tamarack PUD Docket No. 1506-PUD-09**

We would like to express our concerns and requests to be considered with regard to the above mentioned property which adjoins our property to the east.

1. We request that MI Homes not remove any of the growth that is already within the thirty foot set back area (trees and etc.) on their side of the property. This will help to provide more privacy on our side. Currently there is between fifteen and twenty feet of land not being farmed because of this growth etc.
2. We request that a mound (buffer) of dirt at least three or four feet tall be placed all along the east side of the above mentioned property with all evergreen trees on top of the mound spaced close enough and positioned, not in a straight line, but set in two rows (staggered) so that you cannot see between the trees for maximum privacy and to deter people from entering the woods. Evergreen trees should be used versus shade or ornamental trees because in the winter when the leaves are off the trees lights from the houses will shine through the woods and into our house. There should still be enough room for this mounding in addition to not removing the already existing growth mentioned above.
3. Our concern is that people will trespass into our woods which could cause liability problems if they get hurt and/or they will trash our property. Ann Walker Kloc mentioned in our meeting with her that they would be willing to post private property/no trespassing signs on their property to deter people from trespassing. Both parties of adjoining properties are all in favor of this.
4. We also request that no trail or pathway be placed along the entire length of the east side of the property next to our woods and Jerry and Betty Hollan's woods. To put a trail or path there would only encourage or entice people to enter the woods (especially kids).
5. We request that some type of fencing or barrier be placed over the pipeline(s) in the very far northeast corner of the property that abuts our woods as no fence currently exists and people could very easily trespass into our woods. This issue was raised during our meeting with Ann Walker Kloc. She was receptive to address this concern and so to include in this letter.
6. Finally, we would like to request that someone from MI Homes come to the property and meet with Jerry and Betty Hollan and us to walk the property line so that we can physically show and explain what our concerns and requests are.

Again, Ann Walker Kloc stated that she saw no problem with this and thought it was a good idea.

Thank you for your consideration.

Sincerely,  
Dennis and Diana Theurer

## **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.

161<sup>st</sup> 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.](#) | Ph:317-896-1616 |  
Fx: 317-896-1818 | C:317-694-0042 [kkohlmann@growmark.com](mailto: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 161<sup>st</sup> St and Oak Rd from SF2 to PUD, known as Tamarack PUD District

Dear Council Members and APC members,

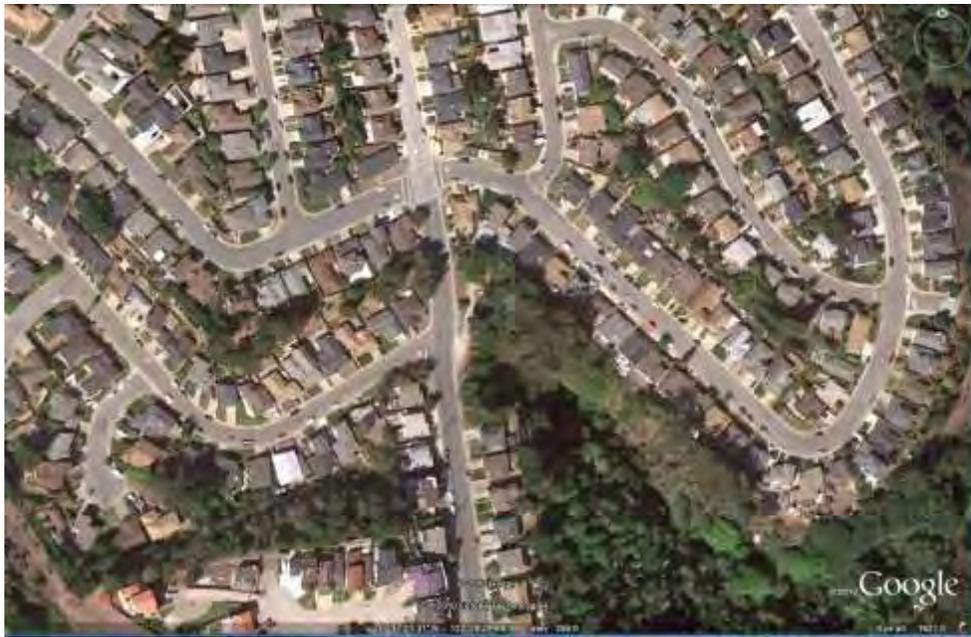
I thank you for your time, attention and service to our community. I am writing to voice my overwhelming opposition to the proposed PUD as described. In my work as an anesthesiologist, one of my primary duties is to assess a given patient, their condition, the requirements of the surgery, the positioning 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.



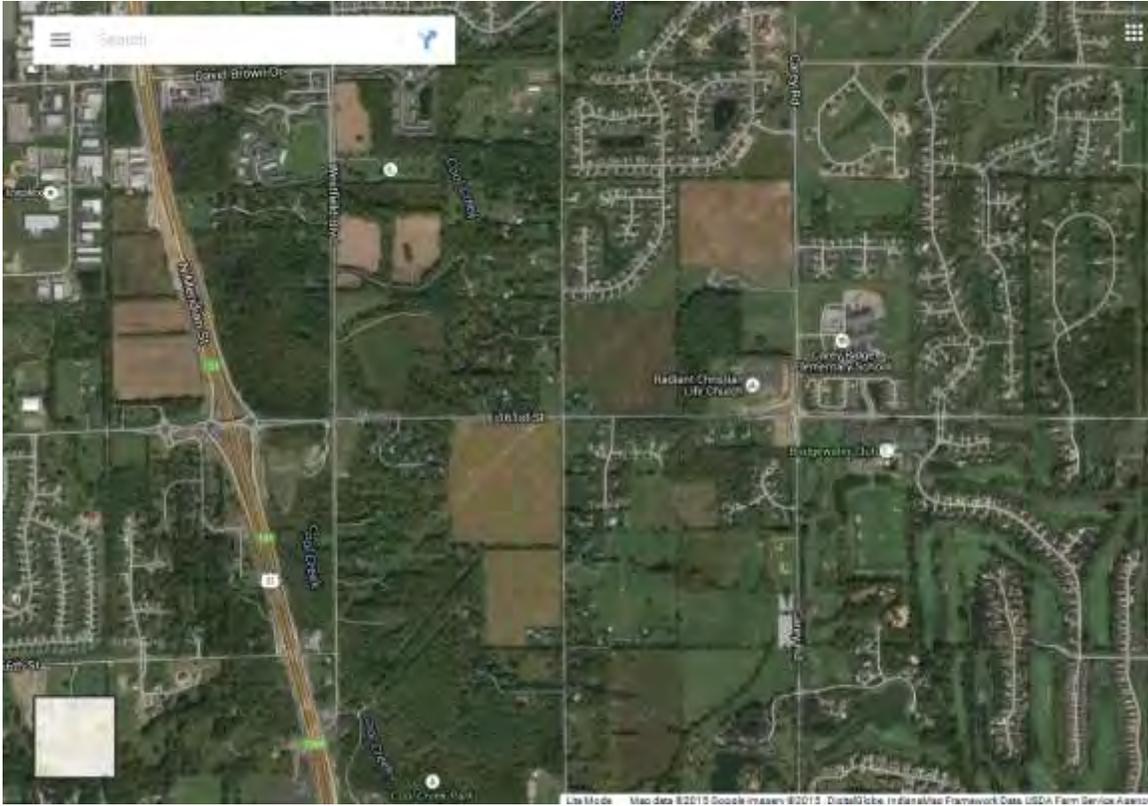


In searching for information regarding the concerns I am voicing, I have come across several publications on fire spread and fire safety. The overwhelming recommendation of these publications to prevent disaster is to 1) limit the number of structures in the concerned area and 2) increase the distance between structures. One of the main determinants of fire spread between structures is distance between the structures. Intensity of heat dissipates according to the inverse square law in physics, such that a doubling of the distance between 2 objects results in  $\frac{1}{4}$  of the intensity at the second object, while a quadrupling of the distance results in  $\frac{1}{16^{\text{th}}}$  of the intensity and a quintupling of the distance results in  $\frac{1}{25^{\text{th}}}$  of the heat intensity measured at the second site. Further, transfer of radiant heat between 2 objects is proportional to the difference of the absolute temperature of each object to the  $4^{\text{th}}$  power, so

decreasing the heat intensity at the site of the second object to 1/16<sup>th</sup> of what it would be adjacent to the first object results in a further exponential decrease in heat transfer to (and combustion of) the second object. The same pipeline explosion would have been markedly less devastating if the area where it occurred were less densely built. The initial blast would have damaged and destroyed fewer homes and the rate and probability of fire spreading to adjacent structures would have decreased exponentially.

Applying the above principles, keeping the minimum 12-foot side yard setbacks required of the current SF-2 zoning compared to the 5-foot setbacks will result in minimum 24-foot separation between structures vs 10 as requested. This reduces the heat intensity at the second structure to ~17% of what it would be with 10-foot spacing with heat transfer proportional to <1% of what it would otherwise be. If the council and developer could be visionary enough to commit to minimum 20-foot setbacks (40 feet between structures), these numbers could be reduced to 6.25% and <0.01%, tremendously reducing the risk of fire spread between structures whether due to a pipeline disaster or much more “usual and customary” causes of house fires.

As mentioned at the start of this letter, I believe it is imperative to consider the land in question as exceptional, requiring exceptional care in planning and use well beyond minimal and usual standards. Even if one were to consider this property in the absence of the pipeline, I would still fundamentally oppose the development as planned. MI seeks to create and develop this ultra-dense PUD in the heart of one of the most open districts in Westfield. An aerial view of the area in question shows that one must travel more than a mile in any direction before encountering housing even as dense as SF3 standards, let alone the less than SF4 standards the developer seeks.



Dense housing is grossly out of character with the surrounding community. The small lot widths and depths will lead to short driveways and greatly increased street parking. This is not only aesthetically displeasing compared to the surrounding neighborhoods, but having vehicles routinely parked on both sides of the street limits access and maneuverability of emergency vehicles (especially dangerous due to the exceptional nature of this property), trash collection and snow removal. The above images in San Bruno reveal multiple burned out vehicles parked on both sides of the street, but this street was at least wide enough to accommodate 2-sided street parking plus 2-lane traffic (effectively 4-lanes wide). The developer's concept plan does not show widened streets to allow free flow of 2 lanes of traffic between parked cars, yet they have to know similar developments invariably result in high levels of street parking. At the informational meeting MI espoused that the covenants could not prohibit street parking as they will be public streets. They can, however increase the sizes of the lots and side yards while requiring side or rear load garages (maintaining the requirements of surrounding neighborhoods), which would result in longer driveways and more off-street parking availability. Similarly they can develop the land with wider than minimum standard streets to allow safe maneuvering of emergency vehicles in this development. At the very least the covenants need to have binding prohibitions on non-garaged parking of motorcycles, boats, trailers, large trucks, RVs or other non-typical small passenger vehicles.

The builder's desire to maximize profits by jamming as many units as possible into the limited developable space results in increased numbers of units and therefore increased numbers of vehicles. As proposed, 42 of the 53 lots will have their sole ingress and egress via a road to be built across from Oak Park Ct on 161<sup>st</sup> St, likely resulting in 60-100 additional vehicles per day needing to access 161<sup>st</sup> St. I ask you not to envision the effect of this access on the community as it is today, but rather where it is likely to be in 10 to 15 years. With the designation of 161<sup>st</sup> St as a "major arterial" by the City of Westfield, there is a high probability that it will be developed into a 4-lane wide road with R & L turn lanes making it effectively 6-lanes wide at this new intersection. The concept plan allows for additional green-space south of lot 12 to keep the setback for the proposed lot 12 equal to the setback for the house on lot 1 across the street in Oak Park. They do not, however, do the same for proposed lots 33 and 53. Once 161<sup>st</sup> St is fully widened, the backs of these homes will be very closely abutting a now very busy road.

In their concept plan, the developer shows what it represents as "typical" landscaping for the lots proposed. It is important to note that the lot they chose to represent a "typical" lot is lot #1, which appears to be one of the 4 largest lots in the proposed development, and as such is hardly "typical." Even so, the number of trees and shrubs proposed seems to crowd the house and make the lot feel even tighter than it is. Furthermore, throughout the development the concept plan shows planting of 2" diameter shade trees between the sidewalk and street. 10-15 years later these trees will have either died or grown to the point that their roots are likely causing buckling of the sidewalk or roads, potentially invading into storm sewers, utilities and other common infrastructure and creating safety and liability issues for the homeowner, community and city. They will also decrease visibility as motorists enter and leave their driveways creating safety risks. Any approved plan needs to clearly specify what species of trees will be used, what types of root containment barriers and grating will be used to minimize the chance of overgrowth and surface-seeking roots and limiting the height expectations of the trees selected to not overwhelm these dense homes.

The developer is using the term "empty nester" community to justify the proposal they are making. They also recognize this term implies development that will add to the tax base without adding demands on the school system. What they really seem to be proposing, however, is very densely packed homes modest in size compared to surrounding subdivisions, with no community amenities other than the "green space" of the pipeline easements. In order to maintain the open feel they claim to achieve from the pipeline easements, it is imperative that the plan prohibit fencing of any kind within the development, as fencing will emphasize the small sizes of the lots and destroy the open sight lines they claim to achieve. It is important to note that even the ~1500 sq. foot floor plans included with the PUD plan show optional 3<sup>rd</sup> bedrooms. Many of the plans could easily have a 4<sup>th</sup> bedroom created out of a den or bonus room. Three and four bedroom houses hardly seem consistent with an "empty nest" community. The only technique the builder intends to use to favor childless families is having covenant restrictions limiting a homeowner's ability to have a playset or basketball goal while providing no community amenities. The developer has indicated they will not be placing any age or family size restrictions on the community, so the "empty nest" label is disingenuous and

misleading. Families moving into this community will likely use the Westfield trail system to bike or walk to the community amenities in Oak Park, Oak Manor and the Bridgewater. Despite posting of signs indicating the amenities are solely for the use and enjoyment of the residents in the community providing them, enforcement of these restrictions is extremely difficult and problematic. Furthermore, their use by non-residents increases the liability of the respective HOAs.

I believe the APC and council members are fully aware of the problematic water management of the property in question. Currently, the field sits significantly higher than the property it abuts in Oak Manor, and routinely floods across 161<sup>st</sup> St and overflows the ditch along the south side of 161<sup>st</sup> after moderate rainstorms. While it is recognized that any such development is required to handle all of the water/runoff from the site of development without spilling it onto adjacent property, in this case it would seem prudent to require a detailed plan of how the water will be managed PRIOR to approving the PUD creation and rezoning.

Ten to Fifteen years from now, after MI has maximized their profits and moved on, the community will still have this new PUD community. The houses will no longer be as bright, shiny and new as they were. The trees will be overgrowing the homes. There will be increasing homeowner turnover. MI has indicated that all buyers will have to sign an acknowledgement regarding the presence of the gas pipelines at the time of signing a purchase agreement. They indicated this should prevent homeowner's from deciding after they move in that the easements are too restrictive or the environment too dangerous and thereby ameliorate the risk of a homeowner "walking away" from a home. This was in response to a concern raised regarding distressed or foreclosed property. Their disclosure does not address the same concern at resale, however. When I bought my home on lot 3 in Oak Park in 2007, it was never disclosed to me (nor is it in any of the disclosures, forms or lending documents provided when I purchased my home) that one of these 4 gas pipelines actually traverses my back yard. I did not even know there were 4 separate gas pipelines in the area until the informational meeting on May 21, 2015. We requested a copy of the plat record, but were informed the homeowner did not have one. The home had bountiful established landscaping and the possibility of a pipeline easement angling through the back yard never occurred to me. In the nervousness and excitement of our first real home purchase, making an offer and dealing with counter offers, it did not occur to us to make an offer contingent upon seeing the plat map. I did not obtain an official map until going to the courthouse several years later. With my own experience as a guide, it is not difficult for me to imagine that these disclosures may not occur during resale of the homes in the future, leaving the potential of distressed property a true concern. Such dense housing also has a tendency to evolve into rental properties over time trending toward less well maintained properties.

In proposing this development and at the informational meeting on May 21<sup>st</sup>, the developer has provided no information on how this community will benefit the citizens of Westfield who reside in the neighborhoods surrounding the proposed development. In contrast, they seem to suggest we should support their PUD request because the current SF2 standards would allow them to build smaller, less desirable homes than what they are

proposing. I fully agree that minimum standard SF2 homes would be highly undesirable and also out of character with the surrounding homes, but at the very least there would be far fewer of them creating less of a safety risk to future homebuyers and neighboring residents, less traffic constraints and less congestion.

I am certain that the developer will counter many of my concerns by indicating they have worked with the respective pipelines and their plan exceeds the minimum requirements and regulations to build in the vicinity of such easements. I again ask the APC and Council Members to consider this property a unique and exceptional property that demands planning and development well in excess of the minimum standards and requirements. Picture this community 10-25 years in the future, once MI has achieved their profits and is out of the picture. They do not deserve to maximize their profits at the expense of the safety, enjoyment and property values of the citizens residing in the vicinity. You have the opportunity to ensure that development of this land occurs in a thoughtful, deliberate manner consistent with the surrounding community and minimizing additional safety risks to present and future residents. Westfield can do better and deserves better. ***The PUD request is contrary to the Purpose of the Westfield Washington Township Unified Development Ordinance 2.3.C.1-3 as it endangers the safety of the citizens, increases the risk of rather than provide safety from fire or other dangers; risks and reduces rather than promotes the public health, safety, convenience and general welfare of the community; fails to provide increased health or recreational facilities for family life and jeopardizes public funds in potential fire spread and disaster response.*** I implore you to reject the current PUD proposal and direct the landowner to work with the APC and council to devise a plan that increases minimum setbacks, maximizes the safety of any development in this area, and to work in conjunction with the surrounding community to devise a plan that will be acceptable to all parties.

Sincerely,

Michael Miller, MD

## **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**

## **PUBLIC COMMENT #31**

### **Subject: Tamarack**

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 an 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 161<sup>st</sup> 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.

## **PUBLIC COMMENT #32**

### **Subject: Tamarack PUD**

I am writing you today after attending last night's public hearing on the proposed Tamarack development at 161st and Oak Rd. After listening to the petitioner, council members and residents I would like to share my observations and concerns.

1. The request to step from SF2 to SF4 zoning does not appear to be in the best interest of the community, the adjacent residents or the land. The current zoning exists for a reason and as discussed last night that reason is to maintain the character of the community. I did not hear enough assurances from the petitioner that the "PRODUCT" (which by the way does not sit well with me as we are talking about homes, people and the quality of life in our community) will meet not only our expectations but yours as well. This petitioner has the ability to build the type of quality home that could work in this neighborhood. Your responsibility is to make sure they do.
2. There was a lot of discussion from the petitioner about exceeding minimum requirements and density comparisons. I did not take the time to remove the non-useable portion of the land due to the pipeline and re-calculate the density figures but this should be done. Oak Manor does not have a giant swath of non-useable land in the center of it.
3. No discussion regarding any amenities for this new neighborhood other than a walking trail which would connect to our neighborhood and our amenities.
4. I did not hear enough assurances from the petitioner regarding the rear elevation of these homes that will be facing Oak Manor and will not be able to be blocked due to the pipeline. It should be reasonable to request evergreens and trees along the backs of those home within their property line in addition to the requested elevation reviews requested by Mr. Hoover. The focus on a "BUFFER" for this community is a little disturbing. If this new neighborhood was the correct planning for this property and the properties in the surrounding area a "BUFFER" should be self-evident.
5. I was a bit surprised regarding the side stepping that occurred related to our request for side load garages on a percentage of homes. This would help improve the character of this proposal and ensure property values remain in the range the petitioner indicated. I don't care if it does not fit in their current layout. That layout is not acceptable period and needs to be modified. The petitioner stating that side load garages would increase the maintenance of the lots for these homes is ridiculous. I feel 25% minimum side load garages is a good place to start.
6. Basements. Will any of these homes have basements or will they all be on slabs? Again, it is reasonable that a certain percentage of these homes be required to have basements to maintain the value of this and surrounding neighborhoods. Again 25% minimum would be a good place to start.
7. Pipeline safety. I am confident all the necessary precautions will be taken during the development of the land but accidents do happen. My biggest concern is during the

initial phases of the excavation. It would be a good idea to have regular communications from the pipeline representatives overseeing the project to our HOA and any other neighbors regarding the safety aspects of this or any other development of this land.

Thank you for taking the time to read and consider my concerns and the concerns of my neighbors regarding this proposal. And thank you for your service to the community.

Al Nelson  
2697 Diamente Dr.  
Westfield IN 46074  
Oak Manor  
317-848-0754

## **PUBLIC COMMENT #33**

### **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 161<sup>st</sup> St and Oak Rd from SF2 to PUD, known as Tamarack PUD District

Dear Council Members and APC members,

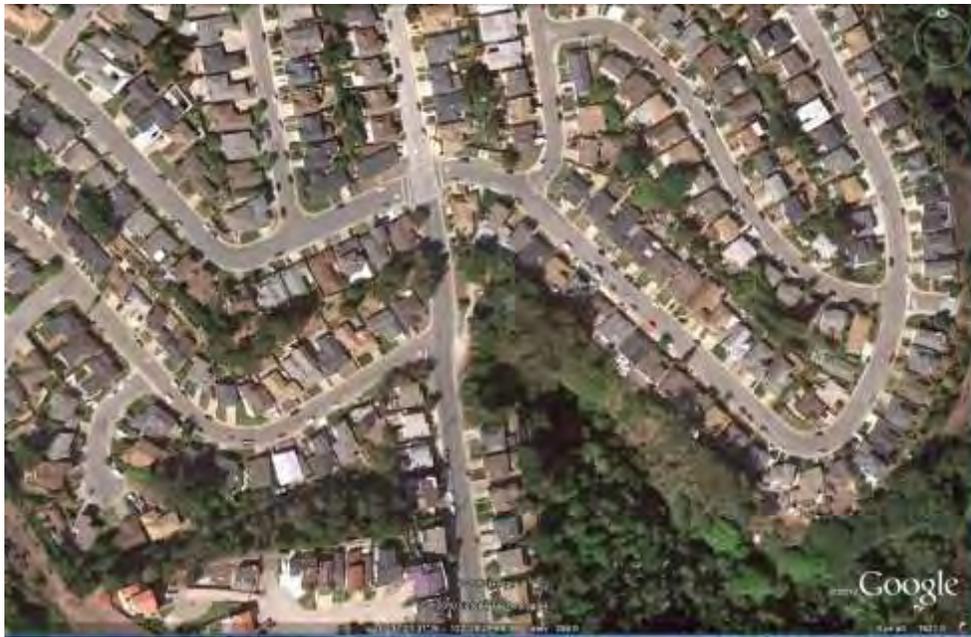
I thank you for your time, attention and service to our community. I am writing to voice my overwhelming opposition to the proposed PUD as described. In my work as an anesthesiologist, one of my primary duties is to assess a given patient, their condition, the requirements of the surgery, the positioning 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.



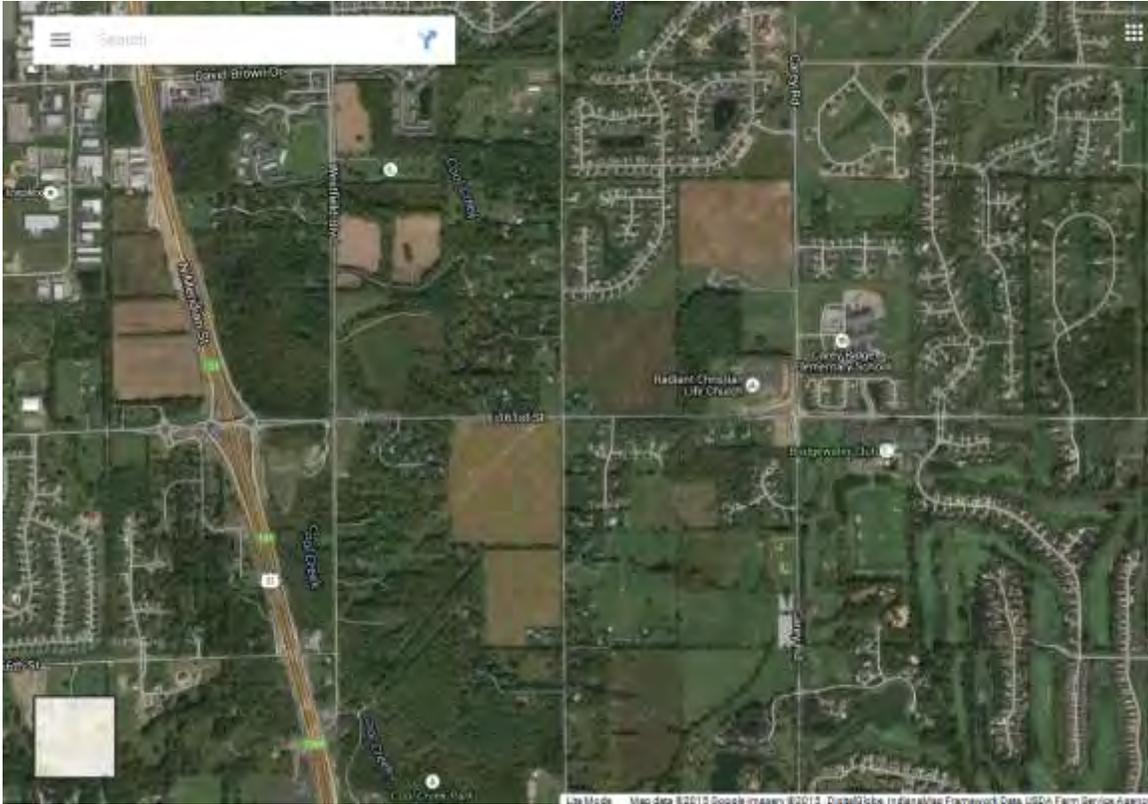


In searching for information regarding the concerns I am voicing, I have come across several publications on fire spread and fire safety. The overwhelming recommendation of these publications to prevent disaster is to 1) limit the number of structures in the concerned area and 2) increase the distance between structures. One of the main determinants of fire spread between structures is distance between the structures. Intensity of heat dissipates according to the inverse square law in physics, such that a doubling of the distance between 2 objects results in  $\frac{1}{4}$  of the intensity at the second object, while a quadrupling of the distance results in  $\frac{1}{16}^{\text{th}}$  of the intensity and a quintupling of the distance results in  $\frac{1}{25}^{\text{th}}$  of the heat intensity measured at the second site. Further, transfer of radiant heat between 2 objects is proportional to the difference of the absolute temperature of each object to the  $4^{\text{th}}$  power, so

decreasing the heat intensity at the site of the second object to  $1/16^{\text{th}}$  of what it would be adjacent to the first object results in a further exponential decrease in heat transfer to (and combustion of) the second object. The same pipeline explosion would have been markedly less devastating if the area where it occurred were less densely built. The initial blast would have damaged and destroyed fewer homes and the rate and probability of fire spreading to adjacent structures would have decreased exponentially.

Applying the above principles, keeping the minimum 12-foot side yard setbacks required of the current SF-2 zoning compared to the 5-foot setbacks will result in minimum 24-foot separation between structures vs 10 as requested. This reduces the heat intensity at the second structure to ~17% of what it would be with 10-foot spacing with heat transfer proportional to <1% of what it would otherwise be. If the council and developer could be visionary enough to commit to minimum 20-foot setbacks (40 feet between structures), these numbers could be reduced to 6.25% and <0.01%, tremendously reducing the risk of fire spread between structures whether due to a pipeline disaster or much more “usual and customary” causes of house fires.

As mentioned at the start of this letter, I believe it is imperative to consider the land in question as exceptional, requiring exceptional care in planning and use well beyond minimal and usual standards. Even if one were to consider this property in the absence of the pipeline, I would still fundamentally oppose the development as planned. MI seeks to create and develop this ultra-dense PUD in the heart of one of the most open districts in Westfield. An aerial view of the area in question shows that one must travel more than a mile in any direction before encountering housing even as dense as SF3 standards, let alone the less than SF4 standards the developer seeks.



Dense housing is grossly out of character with the surrounding community. The small lot widths and depths will lead to short driveways and greatly increased street parking. This is not only aesthetically displeasing compared to the surrounding neighborhoods, but having vehicles routinely parked on both sides of the street limits access and maneuverability of emergency vehicles (especially dangerous due to the exceptional nature of this property), trash collection and snow removal. The above images in San Bruno reveal multiple burned out vehicles parked on both sides of the street, but this street was at least wide enough to accommodate 2-sided street parking plus 2-lane traffic (effectively 4-lanes wide). The developer's concept plan does not show widened streets to allow free flow of 2 lanes of traffic between parked cars, yet they have to know similar developments invariably result in high levels of street parking. At the informational meeting MI espoused that the covenants could not prohibit street parking as they will be public streets. They can, however increase the sizes of the lots and side yards while requiring side or rear load garages (maintaining the requirements of surrounding neighborhoods), which would result in longer driveways and more off-street parking availability. Similarly they can develop the land with wider than minimum standard streets to allow safe maneuvering of emergency vehicles in this development. At the very least the covenants need to have binding prohibitions on non-garaged parking of motorcycles, boats, trailers, large trucks, RVs or other non-typical small passenger vehicles.

The builder's desire to maximize profits by jamming as many units as possible into the limited developable space results in increased numbers of units and therefore increased numbers of vehicles. As proposed, 42 of the 53 lots will have their sole ingress and egress via a road to be built across from Oak Park Ct on 161<sup>st</sup> St, likely resulting in 60-100 additional vehicles per day needing to access 161<sup>st</sup> St. I ask you not to envision the effect of this access on the community as it is today, but rather where it is likely to be in 10 to 15 years. With the designation of 161<sup>st</sup> St as a "major arterial" by the City of Westfield, there is a high probability that it will be developed into a 4-lane wide road with R & L turn lanes making it effectively 6-lanes wide at this new intersection. The concept plan allows for additional green-space south of lot 12 to keep the setback for the proposed lot 12 equal to the setback for the house on lot 1 across the street in Oak Park. They do not, however, do the same for proposed lots 33 and 53. Once 161<sup>st</sup> St is fully widened, the backs of these homes will be very closely abutting a now very busy road.

In their concept plan, the developer shows what it represents as "typical" landscaping for the lots proposed. It is important to note that the lot they chose to represent a "typical" lot is lot #1, which appears to be one of the 4 largest lots in the proposed development, and as such is hardly "typical." Even so, the number of trees and shrubs proposed seems to crowd the house and make the lot feel even tighter than it is. Furthermore, throughout the development the concept plan shows planting of 2" diameter shade trees between the sidewalk and street. 10-15 years later these trees will have either died or grown to the point that their roots are likely causing buckling of the sidewalk or roads, potentially invading into storm sewers, utilities and other common infrastructure and creating safety and liability issues for the homeowner, community and city. They will also decrease visibility as motorists enter and leave their driveways creating safety risks. Any approved plan needs to clearly specify what species of trees will be used, what types of root containment barriers and grating will be used to minimize the chance of overgrowth and surface-seeking roots and limiting the height expectations of the trees selected to not overwhelm these dense homes.

The developer is using the term "empty nester" community to justify the proposal they are making. They also recognize this term implies development that will add to the tax base without adding demands on the school system. What they really seem to be proposing, however, is very densely packed homes modest in size compared to surrounding subdivisions, with no community amenities other than the "green space" of the pipeline easements. In order to maintain the open feel they claim to achieve from the pipeline easements, it is imperative that the plan prohibit fencing of any kind within the development, as fencing will emphasize the small sizes of the lots and destroy the open sight lines they claim to achieve. It is important to note that even the ~1500 sq. foot floor plans included with the PUD plan show optional 3<sup>rd</sup> bedrooms. Many of the plans could easily have a 4<sup>th</sup> bedroom created out of a den or bonus room. Three and four bedroom houses hardly seem consistent with an "empty nest" community. The only technique the builder intends to use to favor childless families is having covenant restrictions limiting a homeowner's ability to have a playset or basketball goal while providing no community amenities. The developer has indicated they will not be placing any age or family size restrictions on the community, so the "empty nest" label is disingenuous and

misleading. Families moving into this community will likely use the Westfield trail system to bike or walk to the community amenities in Oak Park, Oak Manor and the Bridgewater. Despite posting of signs indicating the amenities are solely for the use and enjoyment of the residents in the community providing them, enforcement of these restrictions is extremely difficult and problematic. Furthermore, their use by non-residents increases the liability of the respective HOAs.

I believe the APC and council members are fully aware of the problematic water management of the property in question. Currently, the field sits significantly higher than the property it abuts in Oak Manor, and routinely floods across 161<sup>st</sup> St and overflows the ditch along the south side of 161<sup>st</sup> after moderate rainstorms. While it is recognized that any such development is required to handle all of the water/runoff from the site of development without spilling it onto adjacent property, in this case it would seem prudent to require a detailed plan of how the water will be managed PRIOR to approving the PUD creation and rezoning.

Ten to Fifteen years from now, after MI has maximized their profits and moved on, the community will still have this new PUD community. The houses will no longer be as bright, shiny and new as they were. The trees will be overgrowing the homes. There will be increasing homeowner turnover. MI has indicated that all buyers will have to sign an acknowledgement regarding the presence of the gas pipelines at the time of signing a purchase agreement. They indicated this should prevent homeowner's from deciding after they move in that the easements are too restrictive or the environment too dangerous and thereby ameliorate the risk of a homeowner "walking away" from a home. This was in response to a concern raised regarding distressed or foreclosed property. Their disclosure does not address the same concern at resale, however. When I bought my home on lot 3 in Oak Park in 2007, it was never disclosed to me (nor is it in any of the disclosures, forms or lending documents provided when I purchased my home) that one of these 4 gas pipelines actually traverses my back yard. I did not even know there were 4 separate gas pipelines in the area until the informational meeting on May 21, 2015. We requested a copy of the plat record, but were informed the homeowner did not have one. The home had bountiful established landscaping and the possibility of a pipeline easement angling through the back yard never occurred to me. In the nervousness and excitement of our first real home purchase, making an offer and dealing with counter offers, it did not occur to us to make an offer contingent upon seeing the plat map. I did not obtain an official map until going to the courthouse several years later. With my own experience as a guide, it is not difficult for me to imagine that these disclosures may not occur during resale of the homes in the future, leaving the potential of distressed property a true concern. Such dense housing also has a tendency to evolve into rental properties over time trending toward less well maintained properties.

In proposing this development and at the informational meeting on May 21<sup>st</sup>, the developer has provided no information on how this community will benefit the citizens of Westfield who reside in the neighborhoods surrounding the proposed development. In contrast, they seem to suggest we should support their PUD request because the current SF2 standards would allow them to build smaller, less desirable homes than what they are

proposing. I fully agree that minimum standard SF2 homes would be highly undesirable and also out of character with the surrounding homes, but at the very least there would be far fewer of them creating less of a safety risk to future homebuyers and neighboring residents, less traffic constraints and less congestion.

I am certain that the developer will counter many of my concerns by indicating they have worked with the respective pipelines and their plan exceeds the minimum requirements and regulations to build in the vicinity of such easements. I again ask the APC and Council Members to consider this property a unique and exceptional property that demands planning and development well in excess of the minimum standards and requirements. Picture this community 10-25 years in the future, once MI has achieved their profits and is out of the picture. They do not deserve to maximize their profits at the expense of the safety, enjoyment and property values of the citizens residing in the vicinity. You have the opportunity to ensure that development of this land occurs in a thoughtful, deliberate manner consistent with the surrounding community and minimizing additional safety risks to present and future residents. Westfield can do better and deserves better. ***The PUD request is contrary to the Purpose of the Westfield Washington Township Unified Development Ordinance 2.3.C.1-3 as it endangers the safety of the citizens, increases the risk of rather than provide safety from fire or other dangers; risks and reduces rather than promotes the public health, safety, convenience and general welfare of the community; fails to provide increased health or recreational facilities for family life and jeopardizes public funds in potential fire spread and disaster response.*** I implore you to reject the current PUD proposal and direct the landowner to work with the APC and council to devise a plan that increases minimum setbacks, maximizes the safety of any development in this area, and to work in conjunction with the surrounding community to devise a plan that will be acceptable to all parties.

Sincerely,

Michael Miller, MD

## **PUBLIC COMMENT #34**

### **Subject: Dave Mueller, Tamarack Changes**

**Dear APC and Neighbors,**

Several of our neighbors attended the special M/I Homes meeting last night in Noblesville. This meeting was held to show the proposed changes that M/I Homes is suggesting for the next Westfield APC on **July 6**.

*My wife and I have several concerns. Here are two:*

1. The new proposed north/south road is moved about 150 yards to the east of the original plan. It will allow headlights to shine at night directly into my home and especially my bedroom. We know this because we occasionally see lights coming from Mr. Hollen's home next to this proposed road. Our three other neighbors (DeHeer, Isbell, Miller) on Oak Park Circle will have similar inconveniences with headlights. I estimate that that would be about 200 additional trips per day and an estimated 50 - 75 per night. Please look at this road change and imagine the direction of the headlights when cars stop, or turn left or right. The small woods behind our homes does not screen us from 161 Street seven months out of the year when the leaves have dropped. We feel this new road is not acceptable, please find a different place to construct it.

2. The proposed side and rear elevations are terrible looking and should be ungraded. When you put these elevations side by side, 10 feet apart, it makes the homes look even worse and cheap. The brick wrap around on the bottom three feet doesn't make these homes in Tamarack look better, just monotonous. One window and an air conditioner ten feet from their neighbor's home does not make a quality home in Westfield. M/I you can do better.

Finally, we believe the overall consensus of our neighbors has been that M/I Homes is proposing a high density neighborhood design with full production homes and dropping them in an area of Westfield that has established custom homes. Commissioners, this project just doesn't fit. It is not a place for a transitional neighborhood. On **Monday, July 6**, I hope you will continue to express the concerns of our neighbors from its previous public hearing. That evening there were 15 people speaking in opposition of this proposal and none in favor. Please allow for a second public hearing, like you did previously for Oak Park, to openly discuss the proposed changes that will be coming forward to you in the next few days.

Please make Tamarack better or continue to let the farmer plant corn in it until someone comes along that will offer you quality homes on that site.

David Mueller  
President  
Oak Park HOA