

October 18, 2022

Commissioners Conference Room  
Vigo County Government Center  
Terre Haute, Indiana

**Present:** Chris Switzer, Mike Morris and Brendan Kearns  
9:10 a.m. the Board held a rezoning hearing.

**UZO #14-22:** Parcel No. 84-13-22-200-004.000-006. This property is located approximately 3,000 feet south of the intersection of Hook Drive/Pimento Circle on the west side of S. US Highway 41 in Terre Haute, Indiana. The proposed use is for a research laboratory. Currently zoned A-1 Single Family Residential District with the proposed zoning to be M-1 Light Industrial District. There currently is no physical address assigned to this property. Recommended use is agricultural. Street access would be from US Highway 41. The area has limited available utilities. Surrounding uses are all agricultural and there is also some mining to the east. Property owners/Petitioners are Lindy and Marilyn Miller. The petitioners are requesting rezoning to allow for a research laboratory.

The petitioner has entered into a contract to transfer the property to LFM Quality Laboratories, Inc. LFM is a USDA Class R research facility. The site plan for the rezoned property calls for a new building to be constructed with a parking area. No details are given for the use at this location. The number of parking stalls is not noted. There are a number of already zoned and available industrial zoned property near the proposed locations. Those properties already have infrastructure in place and would not require the property owner to expand public infrastructure which is required for this zoning classification. A commercial drive cut will be needed. Approval from INDOT will be needed and installation of a decel lane or other alterations to accommodate traffic on Highway 41 may be required.

Staff does not see the benefit of adding 40 additional acres of industrial zoning at this location so close to already zoned and improved locations. Staff offered an unfavorable recommendation on this request based on the availability of nearby industrial districts. If approval is granted, then the following conditions will apply: approval of a storm water and drainage plan; public water and sewer must be utilized if within 1000 feet for water and 300 feet for sewer; hard surface parking of all public use areas; and INDOT approval. There were remonstrators present at the meeting. A letter of remonstrations was received from Elonne Davis of Wabash Valley Hydraulics stating concerns over what will happen when they destroy the animals through the process of incineration with smells and odors. There were also concerns over smells of pigs if they expand their operations to include barnyard animals as well as water overflows under U.S. 41.

In the end, this did receive a favorable recommendation from the Area Plan Commission.

After learning that the property owners had retained Attorney Richard Shagley to represent them and that the property owners would like to have the matter tabled until next month when their counsel could be there, it was decided to move to table the matter but to allow the remonstrators present to speak. Mike Morris made a motion to table this matter until next month. Brendan Kearns seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

Dan Scheid, who lives directly south of the property, had concerns about the possibility of what would happen to property values. He said at the Area Plan meeting there had also been concerns raised about locating at the Industrial Park because the Park had concerns about locating a chicken processing plant there and if they were concerned about chickens, they would probably be concerned about this as well. Does not consider it a positive to their community. Vickie Scheid said that one of her concerns is that there is

something else behind this because of all the money that had gone into purchasing this property and the amount of money that would need to be spent to work with INDOT. She is afraid that once this has been rezoned, it will be sold to someone else who could be backing the current owner financially. She believed that you cannot test on companion animals and then release them to people to raise, so the animals would have to be destroyed or something. She feels that there have been many untruths told. She also believes it is unethical. Cora Conwell said she had concerns about future development out there and the increased additional traffic it will bring to the area. This will also mean the loss of agricultural land. Does not like the idea of that type of business to be located across the street. Anastasia Godsey said she is concerned about sounds, smells and possible contamination of groundwater, and property values. Elonne Davis said she just does not like the type of business. She believes there are better locations for the business. She does not believe it will be a good fit for the neighborhood. Mike Morris ask the remonstrators about the length of time they had all lived in the area. There was also discussion about the ownership history of the property. Mr. Miller, owner of the property, was also given a chance to speak. He indicated that he wanted to table it so he could provide more information about what was planned for the location. He said there was a fair amount of misinformation out there and it was understandable. There was also other information they would like to share with the Commissioners about how they planned to operate and it could possibly fit right in to what the neighbors are interested in having. They don't currently have any plans for expansion. He did say that retirement programs for research animals do exist. Adoptions occur all the time and they want to expand that part of their business because destroying animals is not what they want to do. These animals are service animals to the industry and they deserve a reasonable and responsible retirement. Most of their research over the past 30 years has been farm research. They do that on farms. Basically, they want a good home for their animals and their current property just won't allow for that. Chris Switzer asked how long Mr. Miller had been in business and if he had ever had any complaints where he was at regarding smells or anything. Mr. Miller indicated that he had been in business since 1995 and, to his knowledge, there had never been any complaints regarding smells or anything else.

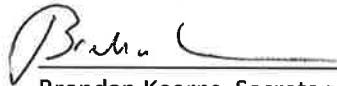
With no further business, the Board recessed at 10:40 a.m.



Chris Switzer, President



Mike Morris, Vice President



Brendan Kearns, Secretary

Attest:



James W. Bramble, Auditor