

HENDRICKS COUNTY AREA PLAN COMMISSION ADMINISTRATIVE AND PLAT COMMITTEE

Meeting Minutes

Wednesday, June 11, 2025

9:00 AM

Hendricks County Government Center • Meeting Rooms 4 & 5
355 S Washington St #G80
Danville, IN 46122

Members Present: Tim Dombrosky, John Ayers, Dave Gaston, Kristen Lien, Ron Kneeland

Staff Present: Brian Hurskainen, Senior Planner and Anna Wozniak, Recording Secretary

A quorum was established, the Pledge of Allegiance was recited. Mr. Ayers made a motion to approve May 14th, 2025 meeting minutes.

Mr. Kneeland seconded the motion.

VOTE: For – 5

Against – 0

Abstained – 0

APPROVE

MIP 1200/25: RICHARD SCOTT; 2-lot minor plat; 14.78 acres; Center Township; 22-15N-1W; key nos. 02-3-22-51W-200-012; located on the west side of Cartersburg Road, approx. 0.2 miles south of the intersection with E County Road 200 S (Joshua Zarnoth – Kruse Consulting, Inc.)

Dale Kruse - Kruse Consulting, Inc. – 7384 Business Center Drive, Avon, IN

Mr. Kruse representing the Scott family. He reviewed the staff comments.

Discussion about showing the easement that is being vacated from what was part of lot 21 on the old plat. The easement is not shown on the old plat. Portion of lot 21 was sold long ago and Mr. Scott purchased the remanent piece; it is unknown when the replat took place. There used to be a drainage easement there and it should reflect on the plat. Note will be added “Vacated as part of this plat”

- Pipes and sizing have been added
- Details will be noted in the plot plan stage
- Pipe was placed on the surface of the ground
- Grades are shown on the development plan
- Proposed contours will show where the water will be diverted. Contours will be needed around the septic eventually
- The outside of the floodplain has been shown on the development plan

Mr. Dombrosky opened the public hearing.

Ms. Terri Irons – 953 E County Road 200 S., Danville, IN 46122

Ms. Irons concerns include:

- Her property is lot 45, 46 and 47 of Edgewood Hills
- Part of the stake was in her back yard, the most North corner of her property
- When they had it surveyed it met up perfectly to their fence

Mr. Kruse: We found a rebar so we didn’t set pins, there might be a control point back there

Mr. Dombrosky: When did you have that survey done?

Ms. Irons: 2016 or 2017

Mr. Dombrosky: Do you know if it was recorded?

Ms. Irons: Not sure but the husband would know, and she has a copy of the survey at home

Mr. Kruse: Asked for the survey to be emailed to him so he can take a look at it, however, his customer does not have any desire to have anyone move their fences.

Mr. Edward Miller – 2106 Cartersburg Road, Danville, IN 46122

Mr. Miller's concerns:

- His property is on lot 22 and the fence runs all the way to the road
- The surveyors have been there several times
- There are stakes 2-3 feet inside of his fence
- There are several different types of stakes, one showing the fence should be on the other side of the property line

Mr. Kruse: We don't know anything about how the fence was built, we found a pin showing Louis Engineering Cap and another one in the road. We didn't set them; we found them, and the fence is not on the line. The pins that we found were there for 35 years.

Mr. Miller: The fence was built in 1978.

Mr. Kruse: The pins have been there likely since then. We have a control point near the fence, and we use it as a reference point that doesn't mean anything to anyone else except us. We recently set points of the right way that our customer will give to the county.

Mr. Miller: I am not going to have to move that fence, am I?

Mr. Kruse: No, my customer has no desire for you to move the fence.

Mr. Miller: I have been maintaining it since we bought the property in 1989.

Discussion about adverse possession law. Questions on location of the new driveway and plating the land for the possibility of building two houses on the property.

Mr. Gaston: From the plating procedure there is no problem approving it. If Mr. Miller wants to pursue Adverse Possession it will be a civil matter that will go through the courts. Existing pins were found and the surveyor followed in those footsteps. Ms. Irons can have the survey looked at and reference it to what they found.

Mr. Dombrosky closed the public hearing.

Mr. Ayers made a motion to approve MAP 1200/25: Richard Scott subject to staff letter and subject to language being added to the plat noting the easement being vacated.

Mr. Gaston seconded the motion.

VOTE: For – 5

Against – 0

Abstained – 0

APPROVE

MAP 281/25: CHANDLER HARDEN; a 2-lot minor plat (replat); 9.534 acres; Guilford Township; 10-14N-1E; located at 6331 E. County Road 600 South approx. 1650 feet East at the intersection of Moon Rd. and East County Road 600 South (Chandler Harden – Banning Engineering)

Chandler Harden – Banning Engineering - 853 Columbia Road, #101, Plainfield, IN

Mr. Harden believes the staff comments and concerns have been addressed. The south part of the property is currently unbuildable until it is annexed through the Town of Plainfield.

Ms. Lien: On the plan that we have from March the septic tank is floating in the middle of lot 2 and that existing septic field location was taken away. We need to make sure it says on the plan.

Mr. Harden: We have corrected everything on the plan and will provide you with the latest revisions. All the drainage easements crossing the lot lines are staying intact for now. They will be added to the major subdivision when it goes through. The current plan is to have the whole back area become common area. There will be a road going through 3 lots and access and utility easements have been added to get from the road to the north lot.

Mr. Dombrosky: Weren't you going to show the actual proposed road location?

Mr. Harden: I don't actually have the conceptual plan for the major subdivision but will make sure to provide you with the most current version.

Mr. Dombrosky: I don't see the address block on Lot 1.

Mr. Harden: There was a note to remove the address block.

Mr. Dombrosky: Just remove it from the south block not the lot and keep it on the existing lot. There is a variance for the existing house even though you are significantly changing the arrangement of the lot, I don't think it is reasonable to remove that variance.

Mr. Harden: There are still discussions with the owner about having the developer pay for the connection of the sanitary, to annex and connect.

Mr. Dombrosky opened the public hearing. There being no one signed up to speak, he then closed the public hearing.

Mr. Ayers made a motion to approve MAP 281/25: Olympic Village (Chandler Harden) subject to staff letter and reflecting the lot lines and right of way for the future plat on Block A.

Mr. Gaston seconded the motion.

VOTE: For – 5

Against – 0

Abstained – 0

APPROVE

MIP 1196/25: JIM BOWLING; a 3-lot minor plat; 33.96 acres; Eel River Township; 4-16N-2W; located on East side of North SR 75 approx. 0.2 miles South of the intersection with West Railroad Street (J. Zarnoth – Kruse Consulting, Inc.)

Dale Kruse - Kruse Consulting, Inc. – 7384 Business Center Drive, Avon, IN

Mr. Kruse gave an update on the project.

- The challenge ended up being a connection to the city sewer

- Town of North Salem agreed to accept the lot into their sewer system
- Will still need to complete the IDOT or driveway drawing
- Updated on the driveway profile will be brought to TAC meeting

Mr. Dombrosky made a motion to continue MIP 1196/25: Jim Bowling.

Mr. Ayers seconded the motion.

VOTE: For – 5 Against – 0 Abstained – 0 APPROVE

WA 372/25 – MIP 1196/25: JIM BOWLING; a waiver of the subdivision control ordinance, Section 6.12.1.B – Sidewalks, pathways and pedestrian ways.

Mr. Dombrosky made a motion to continue WA 372/25: Jim Bowling.

Mr. Ayers seconded the motion.

VOTE: For – 5 Against – 0 Abstained – 0 APPROVE

MRP 161/25: NIX; a 1 lot minor residential plat; 4.52 acres; Union Township; 6-16N-1W; located on the Southeast portion of the intersection with W County Road 625 N and Montclair Road (Joshua Zarnoth – Kruse Consulting, Inc.)

Dale Kruse - Kruse Consulting, Inc. – 7384 Business Center Drive, Avon, IN

Mr. Kruse is present on behalf of Mr. Nix. He reviewed the staff letter and felt that they addressed all the concerns.

Ms. Lien made a motion to approve MRP 161/25: Nix.

Mr. Ayers seconded the motion.

VOTE: For – 5 Against – 0 Abstained – 0 APPROVE

MAP 744/25: WESTPOINT PHASE 4; major plat; 6.31 acres; Liberty Township; 25-14N-1W; located at SR 39 and Westpoint Blvd. (Ryan Lindley – Banning Engineering)

Mr. Ryan Lindley – Banning Engineering – 853 Columbia Road Ste #101, Plainfield, IN

Mr. Lindley was present along with Mr. Greg Goldman – Ambrose Group, 8888 Keystone Crossing, Ste #1150, Indianapolis, IN. He reviewed the staff comments and believed most of the comments were addressed.

- Update on Morgan County – primary plat will be needed as well which required a notification. Will be discussed at July meeting. We are still working with INDOT and Citizens Water
- Notes have been added on the water line planning profiles about future crossings under pavement should be backfilled

Mr. Dombrosky: Are you confident with those locations?

Mr. Goldberg: It's all going to be subject to change; there may be some shifting

Mr. Ayers: My concern is without knowing where they are going to be, it may be difficult to dig down

Mr. Lindley Continuing with comments:

- Easement will be done for the water line since it's outside of the right of way
- Street trees are part of the landscaping plan for each building and will be shown on the landscaping plan, but won't be installed until the sites are developed
- All owners will sign one plat, and attorneys are working on that
- Access and Drainage utility easement is in place up to SR 39
- Temporary driveway permit is being obtained from INDOT

Mr. Dombrosky: The idea is approving phase 1 now and within two years you have a plan for the road, that's the second phase.

Mr. Goldberg: If for some reason it doesn't get developed in that time frame we will have to come back.

Mr. Dombrosky: You don't anticipate getting started until Morgan County's approvals?

Mr. Goldberg: Correct.

Mr. Gaston made a motion to approve MAP 744/25: WESTPOINT PHASE 4 subject to staff letters and showing street trees but not installing and approval from the Morgan/Hendricks County Drainage Board.

Mr. Ayers seconded the motion.

VOTE: For – 5

Against – 0

Abstained – 0

APPROVE

DPR 519/25 COMMERCIAL TEAM CONSTRUCTION – Section 4 (SECONDARY); a development plan review; 9.576 acres; Guilford Township; 20-14N-2E; located at 8851 Union Mills Dr., Camby, IN 46113 (Jeffery K. Smith – Projects Plus)

Mr. Joseph Heck – Projects Plus, 1257 Airport Parkway, Ste A, Greenwood, IN

Mr. Smith reviewed the staff comments.

- Curb was installed along the sidewalk and the water will flow along the sidewalk and to drains
- Sidewalk ramps were installed
- The sidewalk was widened to 6 feet since it's adjacent to the roadway
- Added a note for roadside ditch to be reshaped and banks cleared
- Revised notes about the seeding
- The hydrant was relocated
- The owner was advised to get the sewer allocation process started
- Occupancy of both buildings will be held until the whole site is finished

Mr. Ayers: The truck movement on site is going to be congested and there could be problems driving and maneuvering onto the public road once it's in operation. There is not a lot of room on site. Any issues would have to be dealt with internally on site.

Mr. Ayers made a motion to approve DPR 519/25: Commercial Team Construction subject to staff letters.

Mr. Gaston seconded the motion.

VOTE: For – 5

Against – 0

Abstained – 0

APPROVE

WA 376/25 – MAP 751/25: JAKE FRECKER; a waiver of the subdivision control ordinance, Section 6.12.1.B – Sidewalks, pathways and pedestrian ways.

Mr. Jake Frecker - 6111 N County Road 100 E., Pittsboro, IN

Mr. Kruse is also present since he was originally involved with plat MAP 751/25.

Mr. Kruse: How familiar are you with what's going on here? There is some history.

Mr. Dombrosky: It's not that complicated, the specifics are but really it is a question about our sidewalk delays coming to roost. Even the original MRP has a sidewalk commitment. For a number of years, we had a deferment of sidewalk installation because of that requirement that has been in our ordinance since 2004 or maybe even before that. The MRP had it ordinally placed on the plat and then the MAP came in and it did not request a waiver of sidewalks for whatever reason, therefore, they were required to be installed with the subdivision which triggered the requirement for the adjacent plats as well. So JMF Acres was recorded but no certificate of occupancy has been issued because we don't require sidewalks being installed until the houses are built on a major plat for constructability reasons. So, we sit with recorded plats that are not buildable yet.

Discussion about the sidewalks being required on major plats and the commitment being placed on minor plats by default. The issue is the first domino effect. The original intent was that once sidewalks became available everyone connected and started building a sidewalk, that is what is listed in the ordinance. Mr. Kruse doesn't feel that the sidewalk should fall on Mr. Frecker. It should fall on the builder and the owner. More discussion about the bonds for public improvement and who is responsible for building a sidewalk.

Mr. Dombrosky: It's still the responsibility of the developer.

Mr. Frecker: The homeowner called him asking about the sidewalks. He assumed the builder knew and took it up with the building department. He didn't know it was on the plot plan.

Mr. Kneeland: It may be more cost effective to have the homeowners install the sidewalk than to get attorneys involved.

Mr. Frecker: To the south of lot 1 there is a ditch there and a sidewalk there could be dangerous.

Mr. Dombrosky: He is asking for a waiver of the requirement for a major plat, JMF Acres, his responsibility for the development. The waiver would defer similarly to what has been done for any minor plat which is the requirement to install sidewalks until they become adjacent.

More discussion about sidewalks in the county and the rural areas becoming more suburban. It should have infrastructure to support residences.

Mr. Dombrosky: Another option would be to defer the waiver to the Plan Commission.

Mr. Kruse: What would happen if nothing was done?

Mr. Dombrosky: Ordinance would have to be enforced; we would use the bond to install sidewalks ourselves. It's a requirement of the development.

Mr. Ayers made a motion to forward WA 376/25 – MAP 751/25: Jake Frecker to the Plan Commission.

Mr. Gaston seconded the motion.

VOTE: For – 5 Against – 0 Abstained – 0 APPROVE

Being no further business before the board, the meeting was adjourned at 10:29 AM.

Tim Dombrosky
Chairman