

September 13, 2016

A regular meeting of the Hendricks County Area Plan Commission was held on Tuesday, September 13, 2016 at 6:30 p.m. in Meeting Rooms 4 & 5 of the Hendricks County Government Center, 355 South Washington Street, Danville, Indiana 46122. Members present were: Mr. Brad Whicker, President; Mr. Doug Sisk, Vice-President; Mrs. Sonnie Johnston; Mr. Bob Gentry; Mr. Walt O'Riley; Ms. Angela Tilton; and Mr. Damon Palmer. Staff members present were: Mr. Don F. Reitz, AICP, Secretary and Director of Planning; Mr. Greg Steuerwald, County Attorney; Mr. John Ayers, County Engineer; Mr. David Gaston, County Surveyor; Mrs. Julie Haan, Environmental Health Director; Mr. Tim Dombrosky, Senior Planner; Mr. Nicholas Hufford, Planner; and Mrs. Joanne Garcia, Recording Secretary.

The meeting was opened with the Pledge of Allegiance. There were seven (7) members present.

Mr. Whicker called for approval of the August 9, 2016 Plan Commission meeting minutes.

Mrs. Johnston made a motion to grant approval for the August 9, 2016 meeting minutes.

Mr. O'Riley seconded the motion with Mr. Palmer abstaining.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 1 –

Mr. Whicker then called for a motion to grant the continuance requested for ninety (90) days for the following matter:

**MAP 737/15 (SECONDARY): CROSSROADS COMMERCE PARK, BLOCKS A,B,C,D,D1,D2 & D3**

Mr. Sisk made a motion to grant the foregoing continuance for ninety (90) days to the December meeting.

Mrs. Johnston seconded the motion.

FOR – 7 –                      AGAINST – 0 –                      ABSTAINED – 0 –

**Special Event Permit Review:** To permit a motocross and all-terrain vehicle racing event with associated activities such as camping and food vending on approximately 180 acres of ground, located in Marion Township, on the north and east sides of State Road 75, between County Road 350 North and County Road 400 North. This is a temporary event proposed to occur over the weekend of October 15 and 16, 2016.

Mr. Whicker then stated that the first item for hearing was an item that had received a tie vote at last month's meeting. He stated that the Petitioner would be allowed to make a presentation again only on new items as well as those items requested by the Plan Commission. He stated the members would also accept public comments after Mr. Wathen's presentation and he asked that remonstrators and supporters limit their comments to three minutes and to be as concise as possible.

Mr. Eric Wathen of 1194 West County Road 950 North, Lizton, appeared on behalf of Mr. Jim Williams of 5278 West County Road 800 North and whose property was the subject for the special event permit request. Mr. Wathen stated that he would first address those items that had not been resolved at last month's meeting. He stated that the staff had provided him with a list of items to be addressed and the first one was to contact the Indiana Department of Environmental Management (IDEM) and the Indiana Department of Natural Resources (IDNR) regarding any necessary permits for the event. He stated that Mr. Jim Mardis, the Clean Water director for the county, contacted those agencies and was informed that those agencies had no jurisdiction over permit requirements for that type of permit and that Mr. Mardis had received this information in an email from those agencies. He stated that Mr. Williams had met with Mr. Mardis to make arrangements for Mr. Mardis to come out and inspect the property and make sure all erosion control measures were being met. He then addressed the other considerations and conditions offered by the planning staff. He stated that a request was made to provide a 200 foot buffer

of any perimeter property line. He stated after examining a map of the site, they would be in agreement with that buffer along the western edge of the property where the adjoining property owner kept exotic animals and they also agreed to that buffer along the southern edge of the property. He stated that along the eastern and northern borders, the adjoining neighbor's homes were more than 1,000 feet away and they were asking not to be required to meet that setback requirement there. He stated that another requirement was to contact the emergency responders in the area and he stated he had personally spoken with the North Salem Police and Fire Chiefs. He stated that the Fire Chief, Mr. Berry, informed him that the permit site was not in his jurisdiction and that Mr. Wathen should contact the Danville Fire Department or the County. He stated he had contacted a county official, Captain Jack Saddler, who in an email indicated he was not for or against the event and that he would provide a list of off duty Sheriff's deputies who could provide assistance with traffic control, as needed, for the event. He stated they had also reached out to the Danville Fire Department who had contacted Marion Township personnel and equipment to provide for the event. He stated they were also asked to contact John Ayers, the County Engineer, to discuss traffic issues for the event and that would be done. He stated the other request they had no problem with was a post-event review with the Hendricks County Planning Staff to determine the effectiveness of the permitting scheme. He stated they had also received a letter from one of the neighbors in the area, Mr. Robert Gregory and his son, Garrett. He stated that Mr. Gregory had quite a bit of property abutting Mr. Williams's property. He stated that Mr. Gregory was supportive of the event. Mr. Wathen then discussed the matter brought up at the last meeting in regard to event traffic and farm equipment on the roadways in the area. He stated their proposal to address that issue was to provide Sheriff's deputies to direct the traffic during the high volume traffic times. He stated they would also add to the event flyers promoting the race alerting attendees to be aware of local farm equipment traffic also on the roadway at that time. He concluded by saying that he believed they had addressed all the issues of concern and that he believed there would not be a conflict with local or state laws and asked for the Commission's approval for the special event.

Mr. Whicker then asked for questions or comments from the members.

Mr. Palmer asked Mr. Ayers if the applicant had met with him.

Mr. Ayers stated they had not as he had been on vacation and he had not visited the site but would do so.

Mr. Wathen stated that they had contacted the Indiana Department of Transportation and the department had indicated that although there was a state road, it was a local issue.

Mr. Ayers then commented that his opinion was that as far as the volume of traffic was concerned, he felt it would not be an issue. He stated it was more of a sight distance issue and that was what he anticipated looking for at the site.

Mr. Wathen commented that they would address that issue by placing the checkpoint for the event as far into the property as possible to allow traffic to move onto the property and not be backed up on the state roadway.

Mr. Whicker then asked for further questions. There being none, Mr. Whicker opened the meeting for public comment and discussion on new items brought up at this meeting and he again reminded the audience in attendance to be respectful and concise.

The following persons appeared and were heard:

1. Amy Alberding, 7450 West County Road 400 North;
2. Abraham Athialy, 3841 North State Road 75;
3. Steve Miller, 2613 North State Road 75;
4. Peg Williams, 5278 West County Road 800 North;
5. Angela DeBello, 4272 North State Road 75.

The following comments and concerns were made by the foregoing persons:

1. Traffic problems on State Road 75;
2. State Road 75 too narrow and dangerous;
3. Safety of wildlife;
4. Same race promoter as one who held previous event in area without permit;
5. Family friends not being allowed to comment for property owner;
6. May be a violation of Indiana Nuisance Statute;
7. Use of alcohol and operation of motor vehicles during event;
8. Favorable to event which attracts families and involves kids in a supervised activity;
9. Comments to the effect that wildlife would return to area after event concludes;
10. Comments that favorable to sporting events but not the proposed location;
11. Concerns about noise, dust, dirt, water pollution, safety concerns and alcohol use;
12. Water pollution caused by motorized vehicles going through creeks;
13. Hydrocarbon emission levels causing smog;
14. Stress on local resources;
15. Ban on alcohol use and smoking during youth sporting events.

There being no one else wishing to speak, the public comment portion was closed.

Mr. Wathen was given time to respond to the comments and concerns.

Mr. Wathen stated that he was aware of the environmental concerns. He commented that the water in the creeks would not affect property owners' wells which were surface water versus aquifer water. He then addressed the concern regarding hydrocarbon emissions. He stated that he had visited the U.S. Nationals at the racing facility off of Raceway Road and the amount of emissions there were 8,000 times more than what would be emitted at the proposed event. He addressed the concerns regarding the narrowness of State Road 75 by indicating other events of the same nature that he had attended in similar locations with narrow roads and race attendees had navigated it without issues. He stated that the people who participated in these events did so numerous times of the year and were accustomed to the type of roads where these events were held.

Mr. Whicker then asked the members if they were clear on what was before them as to the nature of making a decision on a one time only event permit. He stated that the staff had provided them with significant documentation and findings of fact in favor of and in opposition. He stated they had also provided them with copies of the letters from citizens and state regulatory departments.

Mr. Palmer commented that he had listened to the recording of last month's meeting on the matter and stated that his concern was less about the one-time event itself than about the Board setting a precedent. He gave the example of the SR 39/I-70 decisions that they had to live with every time something else in that area was presented. He stated that although he was a racing fan himself, he was concerned about the precedents being set and how they as a Board operated. He stated that once something was approved, it continued to be approved.

Mr. Whicker asked for other comments. There being none, Mr. Whicker called for a motion.

Mr. Sisk made a motion to deny the proposed Special Event Permit.

Mr. Gentry then commented that he had heard from many people on this special event permit. He commented that he was not opposed to the event but was opposed to the timing of said event. He stated the event should not be held during harvesting time.

Mr. Whicker called for a second to Mr. Sisk's motion to deny.

Mr. O'Riley seconded the motion.

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Mr. Whicker then called for a vote on the matter.

FOR – 4 –

AGAINST – 3 –

ABSTAINED – 0 –

Mr. O’Riley – Yes

Mr. Sisk – Yes

Mr. Gentry – Yes

Mr. Palmer – Yes

Mr. Whicker – No

Mrs. Johnston – No

Ms. Tilton – No

Mr. Whicker stated that the motion to deny was approved and the Special Event Permit was, therefore, denied.

Mr. Whicker then called for the next item on the public hearing portion of the agenda.

**MAP 247/16 (AMENDMENT): THORNHILL WOODS AT PRESTWICK, LOT 7;** an amendment to a major residential subdivision, 2 lots, 8.15 acres, Washington Township, S08-T15N-R1E, located 0.50 mile southeast of the intersection of U.S. Highway 36 with South County Road 400 East. (Kruse Consulting, Inc.)

**WA 278/16: MAP 247 THORNHILL WOODS AT PRESTWICK, LOT 7;** a Waiver of the Subdivision Control Ordinance, Sec. 2.11 (c) – Lot Improvements – Lot Depth. (Kruse Consulting, Inc.)

**WA 279/16: MAP 247 THORNHILL WOODS AT PRESTWICK, LOT 7;** a Waiver of the Subdivision Control Ordinance, Sec. 6.12 (1.b.) Sidewalks, Pathways & Pedestrian Ways. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. 7384 Business Center Drive, Avon, appeared on behalf of the applicant, Jason Speckman, who owned Lot 7. He reviewed the location of the property. He explained they were dividing an existing eight acre lot into two lots. He explained the problem with not having enough road frontage and how they were going to solve that issue. He stated they would take a small strip of property owned by Mr. Speckman and convert it to publicly dedicated road right-of-way. He stated that the lots created would each have the required road frontage and would be approximately three and four acres in size. He explained the topography with the rear of the lots dropping off to Abner Creek. He stated within the publicly dedicated road right-of-way would be a privately maintained driveway which would serve only the two lots. He stated a maintenance agreement would be in place outlining the responsibilities for maintenance of the drive between Mr. Speckman and the purchaser of the other lot, which was his sister. He explained their agreement for a hard surface driveway similar to the other house in the subdivision. He stated the lots would be serviced by an existing sewer. He stated that the other two accompanying petitions were for waivers for the lot depth and for sidewalks, which were not available in this subdivision.

Mr. O’Riley asked if the property was in a flood zone.

Mr. Kruse stated yes and FEMA mapped.

Mr. Whicker called for other questions or comments. There being none, Mr. Whicker opened the public hearing. There being no one signed up to be heard, Mr. Whicker closed the public hearing.

Mr. Sisk made a motion to approve **MAP 247/16 (AMENDMENT): Thornhill Woods at Prestwick, Lot 7** subject to the staff memorandum dated September 6, 2016.

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Mr. Gentry seconded the motion.

FOR – 7 –

AGAINST – 0 –

ABSTAINED – 0 –

Mr. Sisk then made a motion to approve **WA 278/16: MAP 247 Thornhill Woods at Prestwick, Lot 7 – Lot Depth**, subject to the staff memorandum dated September 6, 2016.

Mr. Gentry seconded the motion.

FOR – 7 –

AGAINST – 0 –

ABSTAINED – 0 –

Mr. Sisk then made a motion to approved **WA 279/16: MAP 247 Thornhill Woods at Prestwick, Lot 7 – Sidewalks**, subject to the staff memorandum dated September 6, 2016.

Mr. O’Riley seconded the motion.

FOR – 7 –

AGAINST – 0 –

ABSTAINED – 0 –

The staff’s memorandum was as follows:

#### **MEMORANDUM**

**TO:** Hendricks County Area Plan Commission

**FROM:** Plan Commission Staff

**DATE:** September 6, 2016

**RE: MAP 247/16: THORNHILL WOODS, LOT 7, AMENDMENT  
WA 278/16: MAP 247 THORNHILL WOODS, LOT DEPTH  
WA 279/16: MAP 247 THORNHILL WOODS, SIDEWALKS**

The above referenced project is part of the Prestwick PUD that received plat approval on November 14, 1989 for 16 lots. On September 14, 1992 the plat was revised by reducing the number of lots from 16 to 7. The purpose of this amendment is to split Lot 7 which contains 8.15 acres, into 2 lots. Lot 7 has access off of a cul-de-sac and the applicant proposes to extend that cul de sac right of way in order for both lots to have the proper amount of road frontage. The applicant proposes to utilize a stone surface for the driveway. Because this is a Major Plat, and because the existing street and cul-de-sac are paved, Staff believes the street extension should be paved as well.

The applicant is requesting 2 waivers of the Hendricks County Subdivision Control Ordinance. One waiver is for the lots not meeting the 3:1 depth to width ratio. The applicant states that the western portion of this property is within the Abner Creek flood way making that portion of the property unusable. The other waiver is for not requiring a sidewalk for these lots stating that there are no other sidewalks within this subdivision.

Staff has no objection to the plat amendment as proposed. Staff also does not object to the 3:1 depth to width ratio waiver because of the unusable portion of the parcel. The majority of staff has no objection to the sidewalk waiver as long as a note is added to the plat stating sidewalks will be installed when they become adjacent to these lots. The Health Department is not in favor of any sidewalk waivers due to high rates of obesity, in children and adults, as well as the chronic diseases that result from limited exercise opportunities. Studies show that people with access to sidewalks get more exercise. Reduction of short car trips when engines emit the most pollution because they are not yet warmed up will also improve air quality.

**MIP 1075/16: BARBARA LEATH;** a 1-lot minor subdivision, 4.79 acres, Marion Township, S6-T15N-R2W, located on the south side of County Road 100 North, approximately one (1) mile west of State Road 75. (Kruse Consulting, Inc.)

**DPR 455/16 (PRIMARY): BARBARA LEATH/GRANARY BARN & EVENT HALL;** a development plan review to establish a banquet/assembly hall, 4.79 acres, Marion Township, S6-T15N-R2W, located on the south side of County Road 100 North, approximately one (1) mile west of State Road 75. (Kruse Consulting, Inc.)

Mr. Mike Sells of Kruse Consulting, Inc. appeared on behalf of Barbara Leath, who was also present. Mr. Sells reviewed the recommendations and conditions in staff's letter dated September 6, 2016. He stated that they had received Drainage Board approval. He stated they were in agreement with comment #1 regarding being subject to the Non-Residential Design Standards in the Hendricks County Zoning Ordinance. He discussed comment #2 as to a variance being approved from the parking lot and buffer landscaping requirements. He mentioned that with respect to the development plan review there were five (5) existing silos located on the front of the property and they were within the required setback line, which made it a legal non-conforming condition. He stated with regard to comment #4 they were requesting modifications as to the development standards for bicycle parking and a hard surface parking lot. He stated that the lighting and signage for the project would be presented to the Administrative & Plat Committee as a part of the secondary approval. He stated with regard to drainage for the project, there was an approximately 30 acre offsite drainage basin that came from the south onto the project. He stated they were constructing a diversion swale to the detention basin as located on the east side of the property and it would leave the site to the legal drain approved by the Drainage Board. He went on to say that they were in agreement with comment #7 as to abandoning all existing wells on the property as per the requirements of the Hendricks County Health Department. He stated in regard to comment #8, they were proposing to utilize temporary mobile water and sanitary sewer services during events. He stated he had photos available for the members. Said photos were entered into record as Petitioner's Exhibit A. He stated the services would be temporary trailers brought onto the site and they were not porta-lets but upscale restroom trailers.

Mr. Whicker asked for questions or comments. There being none, Mr. Whicker opened the public hearing. There being no one signed up to be heard, Mr. Whicker closed the public hearing and asked for any other questions.

Mr. Palmer asked a question as to what parcels were included.

Mr. Sells responded that the 4.79 acre tract was originally a part of the 30 acre overall parcel and that the residual was no longer land locked due to some estate settlements, etc.

There being no further questions, Mr. Whicker called for a motion.

Mrs. Johnston then made a motion to grant approval for **MIP 1075/16: Barbara Leath** subject to the conditions and recommendations in staff's letter dated September 6, 2016.

Ms. Tilton seconded the motion.

FOR – 7 –

AGAINST – 0 –

ABSTAINED – 0 –

The staff conditions and recommendations are as follows:

**DRAINAGE CONDITIONS:**

1. Subject to Drainage Board approval and the conditions of the County Surveyor.

**STAFF RECOMMENDATIONS:**

1. The parent tract has been reconfigured to ensure frontage and access in compliance with staff request.
2. All existing wells on the property must be properly abandoned by a certified well driller according to 312 IAC 13-10-2. Prior to recording the plat the well abandonment log must be forwarded to the Hendricks County Health Department.

**CONDITIONS OF APPROVAL:**

1. A properly executed County/Owner Inspection Agreement must be provided prior to approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. Addresses must be added to the final plat prior to recording. The Director of the Plan Commission will not sign the final plat without addresses included. To obtain addresses, the applicant must submit a request to the Planning and Building Department well in advance of the recording package being forwarded to the Hendricks County Engineer's Office. The Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.

Mrs. Johnston then made a motion to grant primary approval for **DPR 455/16 (Primary): Barbara Leath/Granary Barn & Event Hall** subject to the conditions and recommendations in staff's letter dated September 6, 2016.

Ms. Tilton seconded the motion.

FOR – 7 –

AGAINST – 0 –

ABSTAINED – 0 –

The staff conditions and recommendations are as follows:

**DRAINAGE CONDITIONS:**

1. Subject to Drainage Board approval and the conditions of the County Surveyor.

**STAFF RECOMMENDATIONS:**

1. This development is subject to the Non-Residential Design Standards in the Hendricks County Zoning Ordinance; (HCZO Chapter 8.1).
2. The applicant received a variance from the parking lot and buffer landscaping requirements.
3. The existing silos are within the required building setback. However, since this is an existing condition, they are a legal nonconforming condition.

4. The applicant is requesting the Commission make the following modifications to the standards of the Hendricks County Zoning Ordinance. The Plan Commission has this authority per section 2.2(A)17 of the Zoning Ordinance.
  - a. Section 7.2 V. Bike Parking – All non-residential uses shall provide one bicycle parking area for every 25 vehicle spaces with a minimum of three. Staff has no objection to this request due to the inaccessibility of the site, as well as the private nature of the use.
  - b. Section 7.2 E. A hard surface parking lot is required. The applicant is proposing gravel parking lot and staff has no objection as long as the gravel is properly treated with a dust retardant product.
5. The applicant must address lighting and signage prior to secondary approval.
6. Prior to secondary approval, additional drainage analysis will be required for the proposed storm water control and roadside ditch improvements.
7. All existing wells on the property must be properly abandoned by a certified well driller according to 312 IAC 13-10-2 and the well abandonment log must be forwarded to the Hendricks County Health Department.
8. The applicant is proposing utilizing temporary, mobile water and sanitary services during events.

**CONDITIONS OF APPROVAL:**

1. A properly executed County/Owner Inspection Agreement must be provided prior to approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
- 4.. Addresses must be added to the final plat prior to recording. The Director of the Plan Commission will not sign the final plat without addresses included. To obtain addresses, the applicant must submit a request to the Planning and Building Department well in advance of the recording package being forwarded to the Hendricks County Engineer's Office. The Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.

**STATE ROAD 39 GATEWAY CORRIDOR PLAN;** a recommendation to the Board of County Commissioners on adopting the *State Road 39 Gateway Corridor Plan* as a part of the Hendricks County Comprehensive Plan.

Mr. Whicker stated that the last matter to be heard was a recommendation to the Commissioners for a favorable or unfavorable adoption of the State Road 39 Corridor Plan. He explained that it was a document that provided a basis for managing the growth that we felt was coming into the area and that it would not ultimately change anything that currently existed but would provide the county a mechanism and guide to follow as growth occurred. Mr. Reitz then introduced the consultant, K.K. Gerhart-Fritz who would give a presentation on the document.



Ms. Gerhart-Fritz with the Planning Workshop appeared and stated that she was serving as a consultant for Hendricks County on the development of this plan. She stated that the members would have had some time to review the document from the previous meeting which was the draft State Road 39 Gateway Corridor Plan. She stated that the planning area was slightly over five miles along State Road 39, basically from U.S. Highway 40 at Belleville down to Exit 59 and I-70. She explained why she was hired to come onboard to help with the plan. She stated that the 2006 Hendricks County Comprehensive Plan recommended that the area in question was a key area to watch in the future. She stated it was being seen as a gateway to the county. She stated that development pressure they believed would only increase in the future and it was an opportunity for the county to be proactive and come up with some guidelines for future development. She then reviewed the main points of the plan as follows:

1. Scope of the Plan
2. Planning Process Status
3. Consultants & Partners
4. Steering Committee
5. Public Updates
6. Public Input
7. Community Survey Results
8. Economic Development
9. Business & Financial Services
10. Transportation
11. INDOT Plans
12. Utility Recommendations
13. Land Use Character
14. Plainfield's New Plan
15. Morgan County Plan
16. North Corridor Plan Area
17. South Corridor Plan Area
18. Design Standards
19. Action Plan Section

That concluded Ms. Gerhart-Fritz's presentation and Mr. Whicker called for questions or comments. There being none, Mr. Whicker stated he would be opening the public hearing.

The following persons appeared and were heard:

1. Steve Blunk, 6385 South State Road 39;
2. I. E. Lewis, 1827 Church Street;
3. John Ditmer, 7847 South State Road 39;
4. Jim Diagostino, 6631 South County Road 200 West;
5. Paul Miner, 113 Shockley Street;
6. Charles Leopard, 7845 South State Road 39;
7. Ramona Leopard; 7845 South State Road 39.

The following concerns, comments, questions were heard:

1. Taking of land owner's property as right-of-way
2. Opinion that community survey was distorted and plan contained errors
3. Concern that many homes along SR 39 would be lost by possible future development of four lanes of traffic
4. Comments that public meetings were not open;
5. Opinion that the plan needed more study and was not ready to be passed
6. Plan should be dictated by people who resided there
7. No more changes requested

8. Comments that schools in Mill Creek District are not at capacity yet and that no additional buildings were needed
9. Comments that plan was a good one and far reaching for future development
10. Plan offered opportunity to regain what growth was lost in Belleville area
11. Favorable comments for sidewalks and bike paths, use of green building construction, productive farmland, reduction of demand for ground water, future installation of nighttime lighting by INDOT
12. Opposition to entire plan
13. Destruction of beautiful natural area with historical archaeological sites and artifacts still not discovered and possible grave sites
14. Concern for wildlife in area
15. Against attracting more people and development to area

There being no one else signed up to be heard, Mr. Whicker closed the public hearing.

Mr. Whicker then commented that as a Plan Commission or County, we were not taking or giving anything away. He stated their job was to provide a document or road map to manage the growth that was going to happen and that it was not that they were out promoting the growth but that it was coming. He stated that he respected all of the opinions presented by the speakers. He stated they did not manipulate any survey presented and that they never closed their meeting doors or refused the receiving of public comments. He stated they embraced all who chose to be present for the meetings. He stated he disagreed that the meetings held were not open to all.

Mr. Blunk continued to insist that he was not allowed to express his opinions at the meetings.

Mr. Whicker stated he respectfully disagreed.

Mr. Reitz commented that any non-steering committee person present at those meetings was allowed to comment at any time.

Mr. Blunk brought up the matter of the taking of property for right-of-way.

Mr. Whicker stated he was not knowledgeable enough to comment on that. He stated that residents who lived along that corridor were not happy with the document and were against any development or changes in that area. He stated they were not trying to change their zoning but to provide a road map.

Mr. Blunk stated he needed that addressed at some time.

Ms. Tilton then commented that one of the reasons for the plan was because of the large number of things that were coming before the Plan Commission for this corridor area. She stated they were tasked with preparing this plan to use as a roadmap for future developments.

Mr. Whicker stated that they now had the opportunity to send this to the County Commissioners for a formal adoption. He stated the Plan Commission was not the approving body for the Corridor Plan but were just tasked with giving their recommendation.

Mr. Palmer asked if the Commissioners would hold a hearing on the adoption also and would they take public comments.

Mr. Gentry, as a Commissioner also, stated that they would listen to public comments. Mr. Gentry stated that as a Commissioner he was willing to accept the plan but not make it a permanent part of the Comprehensive Plan. He stated that the things he faced as a commissioner such as right-of-way acquisition, tree planting, sidewalks and trails, he would rather this Plan Commission body dealt with them objectively than be constricted to the Comp Plan. He stated once it was made part of the comp plan, it was set.

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Mr. Palmer asked what Mr. Gentry meant by saying it would not be attached to the Comp Plan and would that mean it was just a guiding plan for the Plan Commission.

Mr. Whicker stated he viewed it as a guideline document only and not something set in stone. He stated in his viewpoint it was to be used as a management document when growth was brought before the Commission or there was interest in the market.

Ms. Tilton commented that she felt the purpose of the document was to get it included into the Comprehensive Plan.

Mr. Reitz stated that was what the Comprehensive plan was, a guiding document.

Mr. Sisk then asked if he could have an explanation of what a recommendation to amend would be.

Mr. Whicker then responded that he supposed it could be sent back to the steering committee for further review with recommendations, although he did not know how effective the steering committee body would be at this point as this had been in the process for almost a year.

Mr. Sisk asked how specific would the amendments need to be. Mr. Sisk stated he had strong positive feelings about the corridor to within a few miles of Belleville. He stated he did not feel comfortable with the Belleville portion of the plan.

Mr. Reitz stated there would be three choices, that being, positive, negative or no recommendation.

Mr. Steuerwald stated that would be correct.

Mr. Sisk stated then that an amendment was not a choice.

Mr. Whicker stated he believed that was correct and had probably misspoken when he added amend to their choices.

Mr. Gentry stated he believed if it became part of the Comprehensive Plan that it would remove the people in opposition's ability to adjust anything. He stated they could come before the Commissioners but that once it became a part of the Comprehensive Plan, it became funneled through. He asked if they were ready for a motion.

Mr. Gentry then made a motion to send a favorable recommendation to the Hendricks County Board of Commissioners but not to attach it to the Comprehensive Plan.

Mr. Whicker stated it would need to be favorable, unfavorable or no recommendation.

There was a brief discussion on what the motion could contain.

Mr. Gentry then changed his motion to send no recommendation to the Hendricks County Board of Commissioners.

Mr. Sisk seconded the motion.

FOR – 3 –

AGAINST – 4 –

ABSTAINED – 0 –

Mr. Gentry – Yes

Mr. Sisk – Yes

Mr. O'Riley – Yes

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Mr. Whicker - No  
Mrs. Johnston – No  
Ms. Tilton – No  
Mr. Palmer - No

Mr. Whicker stated that the motion did not carry and he requested another motion.

Ms. Tilton then made a motion to send a favorable recommendation to the Hendricks County Board of Commissioners.

Mrs. Johnston seconded the motion.

Mr. Palmer then stated that he was concerned about the Corridor Plan sitting outside of the Comprehensive Plan because they kind of designed as they went. He asked what the downside to having a Comprehensive Plan was.

Mr. Gentry gave an example of some of the things that came up before him.

Ms. Tilton stated that she believed Mr. Gentry was speaking on items that were more a part of the Zoning Ordinance than the Comprehensive Plan.

Mr. Gentry stated he felt the people had no vehicle to appeal requirements.

Mr. Palmer then asked John Ayers to give his opinion.

Mr. Ayers stated he was not sure he understood Mr. Gentry's concerns about some of the things he had mentioned. He stated that those items Mr. Gentry referred to were ordinance issues and not comp plan issues. He stated that the Comprehensive Plan was a bigger version of what the State Road 39 Corridor Plan was. He stated they were both just guidelines and the ordinance was the regulations. He stated, however, that citizens still had ways to appeal. He stated the Plan Commission could still waive things and modify them.

Mr. Gentry asked what the appeal process was.

Mr. Ayers stated that the people could ask for a waiver of the condition through the Plan Commission.

Mr. Whicker then stated that he was calling for a vote on the motion now on the floor for a favorable recommendation to the Board of County Commissioners.

The vote was as follows:

FOR – 5 –

AGAINST – 2 –

ABSTAINED – 0 –

Mr. Whicker – Yes  
Mrs. Johnston – Yes  
Ms. Tilton – Yes  
Mr. O'Riley – Yes  
Mr. Palmer – Yes

Mr. Gentry - No  
Mr. Sisk - No

This matter would be heard by the Hendricks County Commissioners on Tuesday, September 27, 2016 at 9:00 a.m. or thereafter.

Mr. Whicker then asked if there were any other items for discussion.

Mr. Palmer asked if there could be a discussion placed for the future on the Special Permit issue.

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Mr. Steuerwald stated that he was going to discuss the matter with Mr. Reitz and come up with some recommendations to amend the ordinance so that we could deal with those issues more effectively.

There being no further business, Mr. Whicker then adjourned the meeting at 9:11 p.m.

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Don F. Reitz, AICP, Secretary