

PC# 0719-015-AG Jason Eyers PC# 0719-016-AG James Steckley

Plan Commission Meeting Minutes

August 14, 2019 7:00 p.m.

Present	all of Members
	Dan Strong
	David Martin
	Greg Gary
	Liz Nelson
	Marc Diller
	Dennis Schrumpf
	Stephen Zell
	Aaron Culp - Legal Counsel
	C.J. Taylor - Plan Director
	Terri Strong - Recorder
	Jack Russell- arrived at 7:10 p.m.
Ak	osent:
	Corey Burkhardt
1.	<u>Declaration of Quorum</u> : President Strong declared a quorum with 7 members present.
2.	Approval of Minutes: Mr. Zell made motion to approve minutes from PC Meeting: July 10, 2019 as presented. Mr. Schrumpf second. All present in favor.
	Schrumpt Second. All present in lavor.
3.	Public Comment: President Strong asked for any public comments on non-agenda related items. No Public Comments.
	 Public Comment: President Strong asked for any public comments on non-agenda related items. No Public Comments. Old Business: Docket # PC-0619-013-NC Petitioner: Gino Pisano Property Address: 370 South Peru St. Cicero, IN 46034
	 Public Comment: President Strong asked for any public comments on non-agenda related items. No Public Comments. Old Business: Docket # PC-0619-013-NC Petitioner: Gino Pisano





PC# 0719-016-AG James Steckley

5. New Business:

<u>Docket #</u> PC-0719-015-AG <u>Petitioner:</u> Jason A. Eyers

Property Address: 26279 Anthony Rd. Arcadia, IN 46030

A Minor Subdivision application has been submitted concerning article four (4) of the Cicero/Jackson Township Subdivision Control Ordinances in order to: Subdivide approximately seven and one-half (7.5) acres into two (2) three and three-tenths (3.3) acre parcels.

Nathan Althouse, Millers Surveying, 948 Conner St. Noblesville, representing Mr. Eyers. Mr. Althouse explained the division of the property and the steps leading to the split. President Strong asked for questions.

Mr. Martin made motion to open public hearing. Mr. Zell second. All present in favor.

Valery Bundy 9127 E. 226th Street, question about wetland area being in the proposed building area. Mr. Althouse answered there is a wetland on the property however, not the whole property and explained where the buildable area would be. Mrs. Bundy asked for reassurance that the wetlands would not be disturbed for a future building. Mr. Althouse explained the protection provided for wetlands.

Ralph Taylor 26989 Crooked Creek Road. Mr. Taylor was under the impression there was a required amount of acreage to build in Hamilton County and Jackson Township. President Strong stated required well and septic room and not for sizing. Mr. CJ Taylor added the requirement is 1.5 acres to be a buildable lot.

Duane Cherry 26960 E. 226th Street, also concerned for wetland area. Expressed concern for well and septic areas. President Strong reminded that inspections and approval take place for those.

Mr. Russell made motion to close public hearing. Mr. Zell second. All present in favor. Mr. Martin asked what the situation is with the driveway on the property. President Strong clarified the question stating the first two properties in a minor subdivision have to share a drive. Mr. Althouse answered had the drive positioned, can we get a variance for a second drive. Mr. Culp explained process of variance.

Jason Eyers, property owner, can the variance be done tonight. Discussion ensued on the process and options. President Strong explained cannot discuss at this time, separate public hearing. Mr. Martin reminded that a cut would have to be approved from county highway for a separate drive. President Strong asked petitioner if he wanted to continue tonight. Mr. Eyers stated yes to continue. It was made clear that if approved tonight, a shared drive would have to be incorporated unless a variance is applied for.

Mr. Schrumpf made motion to approve PC-0719-015-AG dividing the lots as listed. Mr. Diller second. Mr. Martin-yes, Mr. Gary-yes, Mrs. Nelson-yes, Mr. Zell-yes, Mr. Schrumpf-yes, Mr. Diller-yes, Mr. Russell-yes, Mr. Strong approve. Motion approved 8-0.

President Strong good to replat and stated if further information needed on the drive, Mr. Taylor could assist.



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> <u>Docket # PC-0719-016-AG</u> <u>Petitioner:</u> James Steckley

Property Address: 9590 E. 266th St. Arcadia, IN 46030

Major Subdivision application to Township Subdivision Control Ordinances in order to: Subdivide ninety-seven and ninety-seven hundredths (97.97) acres into eight (8) separate parcels.

Nathan Althouse, Miller Surveying 948 Conner St. Noblesville. Property is actually 101 acres located at northeast corner of 266th and Crooked Creek Avenue. With bridge construction in 2003 created a parcel, property is divided from original 120 acres. Monitor was used to describe actual area 8 lot subdivision with lot 2 is the remnant piece. Lot 1 is flood plain unbuildable, however ridge that could be homes with view. Mr. Althouse discussed all the conditions that are met. County surveyor conditions for drainage was discussed. Lot 1 would be 58-acre lake that would provide view but no access to the other lots. This would provide 7 home sites for custom homes with view accessed from Crooked Creek Avenue. Mr. Althouse shared some covenants provided by Mr. Steckley. No HOA, custom home sites only, not a development where they would build then sell. Discussion ensued about access using monitor. Mr. Strong questioned if no lake access how is communicating to potential homebuyers, on deed. Mr. Althouse stated could add to deed. Mr. Zell questioned access to lake. Mr. Althouse stated 30-40 ft gap, natural barrier that prevents easy access, view only. President Strong asked Mr. Taylor if additional comments from other TAC members. Mr. Taylor stated no, spoke to Mr. Lucas and Mr. Ward's office both had met requirements.

Mr. Zell made motion to open public hearing for PC-0719-016-AG. Mrs. Nelson second. All present in favor.

President Strong stated open to public, state name and address for record and address the Board.

Ralph Taylor, Crooked Creek Road and question for surveyor. County went to a lot of trouble to put in a bridge that no one wanted and went to a lot of trouble to fix so water would not stand on the parcels they are wanting to sell. How to have drive that goes down and back without blocking water. President Strong allowed Mr. Althouse to explain. Mr. Althouse stated each parcel would have a build and road cut permit and the county would size the necessary drainage requirements for the builder. They will make them put it in to handle the water flow. Mr. R. Taylor stated still not satisfied with what was done because still flood and concerned that the building of homes will cause more issues. President Strong stated the County would have to sign off on the plan and drainage. Mr. R. Taylor asked if another meeting for sizing. President Strong stated no, that it would up to the departments and engineers and surveyor's office.

Karla Stouse 9331 266th St. directly across from Parcel 1. On corner of parcel 1 is natural drainage, in a shared ditch, share the concern for drainage. Continues to move water and concerned that homes



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added will only add to the water flow and flooding since the farm runoff added, now has water in area that was dry. Mr. Althouse stated currently area is flood plain.

Karla Stouse 266th St. asked which area was which. Mr. CJ Taylor used monitor to describe the parcels.

Lived in area since 50's, drainage problem is not just Cicero Creek but area. Exceptional amount of water that runs thru the area. Tremendous amount of work done to improve but stopped too soon as it now runs to the Stouse yard. This is a legitimate concern, that deserves consideration. Discussion ensued. President Strong had to call to order. Mr. Althouse stated the 6in drain would run north to the lake, which is a flood plain. Also stating that farmland versus homes with grass would help with the runoff. President Strong stated the Highway dept. and surveyors will have to sign off on each property and have the ultimate approval.

Mr. Ralph Taylor asked the 6" tile that will run should be bigger to an 8" tile. President Strong asked for Mr. Althouse to reclarify with Mr. Ward's office on the size of the tile.

Mr. Stouse 9331 266th St. Unmitigated run off isn't being considered and will run south. Stated doesn't think the Board understands the concerns. President Strong stated do understand the concerns, however this board addresses the ordinances and any violations and relies on the surveyors and highway departments to address the items such as drainage.

Mr. Russell made motion to close public hearing. Mr. Zell second. All present in favor.

President Strong asked if other questions from Board members. Mr. Zell expressed that with all the information and concern about drainage, feels that additional emphasis should be placed on the drainage concerns with Mr. Althouse and the engineers. President Strong stated Mr. Althouse would take those concerns back to the necessary parties.

Mr. Zell made motion to approve PC-0719-016-AG as presented with addition of the request for special emphasis to County Highway Department and Drainage Board the deep public concern of the drainage in the area. Mr. Martin second.

Mr. Diller-approve, Mr. Schrumpf-approve, Mr. Zell-approve, Mr. Martin-approve, Mr. Garyapprove, Mr. Russell-approve, Mrs. Nelson-approve, Mr. Strong-approve. Motion carries.



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Discussion regarding the formation of an Aesthetic Review Committee.

President Strong opened by asking if any comments or suggestions concerning the addition of Aesthetic Review Committee. President Strong gave details on how the committee worked in the past, with emphasis on streamlining process and coming to meeting with recommendation. Discussion ensued. Mr. Martin and Mrs. Nelson both felt it was a valuable idea. Mr. Russell felt the current group has been good at keeping the level of quality and another level only adds to the detail. Mr. Taylor stated it also added a level of checks and balances and review of the detail. President Strong stated would get guidelines set up for what needs to be done.

Discussion regarding the formation of a Subdivision Review Committee.

Consideration of proposed ordinance changes. President Strong stated hoped everyone had the changes, ten items on the list. President Strong like to get working on to allow everything to be completed by the end of the year. Any feedback? If not, would like to take first three to address at next meeting. Mr. Russell shared information other communities have done. Examples used for districts in other communities, Spring Mill and 116th street districts were used. Historical preservation, old town, Peru St as items that could be districts and stricter to maintain the look. President Strong followed up with previously looked at having an arts district, Mr. Russell is proposing architectural standards for that area only. Further discussion. Mr. Zell asked if would impact the comprehensive plan. President Strong stated he felt it would work within the plan. Further discussion with examples. President Strong asked everyone to be thinking on ideas that would play into this. Discussion on neighborhood commercial and downtown commercial zoning areas. Mr. Russell asked everyone to take a drive to the neighborhoods and see what they like and don't like and what may fit in Cicero for the next 20-30 years.

President Strong stated to take different route, let us plan on tackling the following four ordinances next month: Legal notices, parking requirements, short term rentals and accessory structures. Aesthetic review may take a longer amount of time and perhaps need a sub-committee.

Commissioner Training Session (Aaron Culp). At this point President Strong turned the meeting over to Mr. Culp for the Commissioner Training Session. Mr. Culp stating the last 18 months or so have had quite a bit of turnover in the Commission. Mr. Taylor asked for discussion on the roles of the members, duties to Town.

The tape was stopped at this time and minutes continued in a separate recap for this training session.

- 6. <u>Plan Director's Report:</u> Enclosed in your packets
- 7. President's Report:



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Location: Cicero Town Hall 70 N Byron Street Cicero, IN 46034

8. <u>Legal Counsel's Report:</u> Commission Member	· Training	
9. Board Member Comments:		
10. Next Planned Plan Commission Meeting: Sep	ptember 11, 2019	
11. Adjournment:		
President:		
Secretary:		
Date:		