

**HANCOCK COUNTY AREA PLAN COMMISSION  
111 AMERICAN LEGION PLACE  
GREENFIELD, IN 46140**

**PLAN COMMISSION MINUTES**

**DATE: February 21, 2023 TIME: 6:30 P.M.**

---

**PRESENT:**

**MICHAEL LONG, PRESIDENT  
TYLER EDON, VICE PRESIDENT  
RENEE OLDHAM, SECRETARY  
SCOTT WOOLDRIDGE  
GARY McDANIEL  
RHONDA COOK, ATTORNEY  
KAYLA BROOKS, DIRECTOR  
DAWN PARKER, RECORDING SEC.  
TERI SWEET, RECORDING SEC.**

**ABSENT:**

The February 21, 2023 meeting of the Hancock County Area Plan Commission was brought to order by President Michael Long. Mr. Wooldridge asked that corrections be made to the January 24, 2023 minutes that reflect Mr. McDaniel seconded the Versatile Const. motion and not him. The changed requested has been made to these minutes. Prior to making their presentations, the Commission's attorney Rhonda Cook duly swore in all persons appearing before the Hancock County Area Plan Commission.

Mr. Wooldridge moved to adjourn. Mr. Edon seconded, and the meeting was adjourned at 9:28 PM.

**ATTEST:**

---

MICHAEL LONG, PRESIDENT

**ATTEST:**

---

RENEE OLDHAM, SECRETARY

**HANCOCK COUNTY AREA PLAN COMMISSION  
111 AMERICAN LEGION PLACE, SUITE 146  
GREENFIELD, IN 46140**

**PLAN COMMISSION MINUTES**

**Tuesday, February 21, 2023**

**TIME: 6:30 PM**

1. New Pal. Self Storage  
3862 W US 52  
28 - 15 - 6  
Residential  
Rezoning 22-2326  
Sugar Creek  
Rezoning 3.10 acres from R1.0 (Residential) to CR (Commercial Regional) at 3862 W US 52 to expand an existing self-storage facility. Cont. from January by Plan Commission. Ms. Brooks stated the petitioner asked for a continuance till March 28, 2023. Motion made by Mr. Woodridge to continue, Mr. Edon seconded. Motion carried. Four (4) approved, zero (0) opposed.
  
2. First Investment Inc.  
Approx. 4600 W 300 N  
17 - 16 - 6  
Industrial Business Park  
Rezoning 23-2340  
Buck Creek  
Rezoning 25.0 acres from IBP (Industrial Business Park) to IL (Industrial Light) located approximately 4700 W 300 N for a truck repair shop with semi-tractor and semi-trailer storage. Ms. Brooks presented an unfavorable recommendation for rezoning stating that this site is in a floodway, flood plain, is close to a regulated drain, backs up to Buck Creek and is very close to residential neighborhoods. She said there are environmental concerns possible for contamination of Buck Creek, ground water and the regulated drain from run off, & other concerns are buffering for noise and light for the surrounding neighborhoods. She said IL (Industrial Light) allows this use by special exception only & if approved this project will go to the BZA for the special exception decision. She said if the rezoning has a favorable recommendation, she request for a commitment to dedicate adequate road frontage for the continuation of the 300 N multi-use trail that is being built on the north side. Mr. Long asked if there is a frontage requirement. Ms. Brooks stated that 125' is required. Mr. Pat Rooney representing petitioner First Investment Inc., was present and stated he does not know of any remonstrators to this project. He stated the comprehensive plan calls for Industrial. He said the fencing and landscaping will provide a sufficient barrier for sound, dust and debris and provide an aesthetically pleasing visual for adjacent property owners and those passing by this site. He said many of the surrounding properties have already been redeveloped for industrial uses so this property will just be a continuation of the development. He said they are also willing to make commitments for adequate road frontage for the trail as well as any other commitments that are reasonably requested. He said if approved, they will be applying for a special exception. He said they understand that no one wants this in their back yard, but the truth is the supplies that these drivers are transporting are needed. He said the properties in this area that are already developed for industrial uses and are full of trucks & drivers need places to park their trucks so they can return to their homes in Hancock County. He said for these reasons they request a favorable recommendation to rezone to IL. (Industrial Light). Mr. Long asked if this is for tractors and trailers, if there has been a traffic study done, if the trucks will be running overnight and will the petitioner commit to trail R/W as

requested by Plan Director? Mr. Rooney answered that the site will be used for tractors and trailers, and a traffic study has not been done yet as this plan is in the preliminary stages, and at no time will drivers be permitted to sleep in the trucks or keep them running overnight. The board asked for remonstrators. Ms. Sandra Hudson said she received an email from a neighbor near this site who could not be at this meeting and said she would bring up her concerns about noise and asked for buffering that would mimic the WESCO facility and that the board do all things possible to mitigate any negative impact. Ms. Lea Lederman said she is not completely against this but have concerns. She said she would like to see 6' berms instead of the 3' standard berm, and lights should be directed so that it doesn't light up the surrounding neighbors or night sky. She said she is concerned about Buck Creek & Estes Ditch water ways and all the trees being destroyed. Mr. Larry Sedam, said again we are putting warehouses and truck facilities in front of the existing houses and that may affect the value of their home and quality of their lives. He said where he works trucks are banging the trailers all night and day. He said he has concerns about pollution to Buck Creek. He said there are homeowners that are surrounded by warehouses, and the county is not protecting them. He said the county needs to protect the creek and protect their township. Mr. Rooney stated he has been in contact with Lisa Bayne who has no interest in what is happening in the area & was told by her that she is not remonstrating but was asking about buffering. He said she was sent plans which were explained to her. He said as far as lighting they will make commitments for the lighting to be downward as much as possible, agreed to the landscaping berm and would preserve trees along Buck Creek and would add trees in the buffer area. He said a full drainage study by a civil engineer will be done to ensure that there is adequate drainage, and that no contamination/pollution will be going into Buck Creek, the ground water or drain. He said they are willing to make any reasonable commitment to anything that is asked of them and believe they have sufficiently provided all that has been requested. Mr. Long stated there are two houses in front of this area asked if they have spoken to any of those residents. Mr. Rooney said no, they have not, but no one has reached out except for Ms. Bayne. He said they have all received notice of this project. Mr. Long asked the petitioner if they would agree to commitments for the trail, to not allow refrigerated trucks, to type 4 buffering standards, to preserving trees and to lighting commitments for downward and cut off lighting: Mr. Rooney agreed to these commitments. Mr. Long asked if there were any further questions or concerns. Ms. Brooks added that the landscape buffering on the plans was not addressed because the landscape ordinance has changed to a 30' buffer type 4 buffer required where the adjacent use is residential, but the use across the road is the same and would not require a buffer. She said she would like a type 4 buffer commitment for the neighbors on the side of the project and the small strip along 300 N and back up into that residential area. Mr. Rooney agreed to this commitment as well. Mr. Wooldridge said info that we put in the paper was not correct and felt this project should be continued. Mr. Rooney said they put in the paper what was given to them by staff. Staff said that mistake was on us and the petitioner should not be penalized for that mistake. There was much discussion regarding to continue, approve or not approve. Mr. Edon asked if the site plan was correct, and was the closest home 60' from the building on the SW corner, and what would be done to the property next to it because those owners may not be able to use their property for their intended use? He asked if they had reached out to the landowners that own the 15 acres to the West and 6 or 7 acres to the east to find out what the plans were for those parcels. Mr. Rooney answered that the closest home is 60' from the SW corner of the building, and agreed to contact those landowners to speak to them regarding their plans before the next meeting. He requested a 60-day continuance in order to speak to the adjoining landowners, to clean up the notice and to make a list of commitments to

present to the board. Mr. Rooney asked if re-advertisement would be required. Mr. Long answered yes, a new notice to the local paper would be required but not to the surrounding landowners. Mr. Wooldridge made motion to continue to April 25, 2023, at the petitioner's request. Mr. Edon seconded. Motion carried. Four (4) approved, Zero (0) opposed.

3. RLS Development - Mohawk Trails

209 N 200 W

35 - 16 - 6

Time Extensions 23-2344

Center

Time Extensions for Mohawk Trails Primary Plat & Secondary Plat for Section #1, located at 209 N 200 W on 40.61 acres zoned PUD (Planned Unit Development). Ms. Brooks recommended approval for this time extension due to Ninestar not being able to install sanitary sewers for this property before the time ran out on this project. She said she has a letter that explains the reasons in more detail from Mr. Carl McIntyre, developer and read it aloud. She said the letter is part of this petition. She said the sewer plan will be revised to reflect the deep sewer main and manhole that Ninestar is installing. Mr. McIntyre, developer requested a one-year time extension for the completion of the sewer project. Mr. Long asked about the status of the water service. Mr. McIntyre stated they have water service, but there is also a tower being built that will help with the water flow issues. He said they are moving forward and wanting to get this development completed but this new sewer and main is a bonus. Ms. Cook, PC attorney said she could only find in the ordinance to allow for a 6-month time extension. There were no remonstrators. Mr. Woodridge made the motion for a six (6) month time extension. Mr. Hester seconded motion. Motion carried. Four (4) approved, zero (0) opposed.

4. Singh, Kuldeep - BAL Express/Miller, S

Approx. 7600 W 200 N

23 - 16 - 5

Industrial Business Park

Rezoning 23-2345

Buck Creek

Rezoning 23.078 acres from IBP (Industrial Business Park) to IL (Industrial Light) located at approximately 7600 W 200 N (southside of road) for a semi-tractor trailer parking facility, small office, and repair shop. Ms. Brooks stated the site is adjacent to I-70 and within the corridor overlay district. She said a special exception will be required from the if the zoning is approved by the county commissioners. This site is near the Marion County line, Buck Creek Road and 200 N. She said the Town of Cumberland corporate limits is just south of I-70 with residential subdivisions. She said the Comprehensive Plan Land Use Map shows this as Industrial. She said that outdoor storage should be screened, and a deep landscape buffer should be used for Industrial next to residential uses. She said conservation issues are not a concern with this project and is looking forward to reviewing the landscape requirements for this site further once it gets to the BZA for the special exception. She said there have been no remonstrance received. She said staff's position is for a favorable recommendation. Mr. Wooldridge stated that the site looks flooded, or at least part of it. Ms. Sylvia Miller, representing BAL Express was present and stated the sale of the property is contingent on getting the zoning and special exception approved. She stated that she has walked the property after a heavy rain fall and did not find it soggy or holding water. She said the site is not in a flood plain or flood zone. She said the buffering and landscaping plans are in the planning stage now and the new landscape plan is being taken into consideration. She said the main goal is to establish a 34-hour layover for drivers so they can leave their trucks, have a rest period, and come back to them. She said refrigerator trucks now have an app to keep track of temperature of the truck, and control it remotely, so drivers will not

be in the trucks and would not be allowed to stay in their trucks overnight. She said all the properties around this site are either vacant homes or Industrial businesses. She said I-70 corridor buffering will be increased upon recommendation. Ms. Miller said having this facility at this location would alleviate traffic issues on I-70 and accidents because there are no facilities close by for drivers to rest and this would be a safe secure facility for drivers to leave their vehicles and rest. Mr. Long said the site plan only shows utilization of half of the site and if the other half was for future expansion? Ms. Miller stated this is just phase 1 of the development. She said the site lacks trees, but the required buffering will be adding trees for the conservation of the area. Mr. Long asked for remonstrators. Mr. Larry Sadam stated that the concern is the location and how trucks are getting to this facility as along 200 N are mainly residential homes. Mr. Long stated the developer to the east agreed to commitments for trucks to use a specific route to get to the facility and would BAL Express agree to the same type of commitments? Ms. Miller stated that the surrounding facilities do have commitments and her client would be willing to look at what is in place to help with this issue. Mr. Long recommended limiting the amount of truck traffic traveling north and south. Ms. Miller stated she will get the commitments together along with buffering and landscaping. Mr. Hester made motion to continue to the March hearing to review the proposed commitments regarding the truck route to site, not allowing running trucks or drivers sleeping in trucks, and the buffering and landscape plans. Mr. Woodridge seconded. He also asked Ms. Miller to bring an example of a similar truck stop to the March meeting as well. Ms. Miller agreed. Motion carried. Four (4) approved, zero (0) opposed.

- 5. R & F Dev. - Rockfield Estates-Primary  
 Approx. 3640 W 100 S  
 4 - 15 - 6

Residential  
 Primary Plat 23-2349  
 Sugar Creek

Primary plat for Rockfield Estates (29 lots) located approximately 3640 W 100 S on 68.465 acres zoned R1.0 (Residential). Ms. Brooks said the site is on 100 S near Cumberland with the Pensey trail to the north and would like to see this development connect to the 'future' Pensey Trail. She said she has spoken with Cumberland regarding this, but their utilities are still half a mile away. She said Tech comments were received from the Highway Engineer, Plan Commission, County Surveyor and Health Department and all comments have been signed off. She said there have been no comments or remonstrations received for this project. She said this is a nice addition to that side of town and fits in to nearby developments. She said Country Lane will line up to this entrance and will be a mirror image of that development. She said Spring Lake is to the east of this site. Mr. Phil Going, Accura Land Surveying was present and stated R&F Development has been around a very long time in Hancock County and has a good reputation and is well known for a good development. This property is already zoned R1.0 (Residential 1.0) as well as the ground surrounding this parcel except for the parcel to the north that is zoned CN (Commercial Neighborhood). He said the property to the north (which was the railroad right of way) was recently purchased by the Board of Commissioners, which is possibly a continuation of the Pensey Trail but is not sure. He said as far as the Pensey Trail is concerned, it goes through Greenfield and ends to the East of this site and then starts again to the West of this site and continues through Cumberland with a 2.7-mile gap between those two sections. He said this site is in the middle of that gap. Mr. Going stated the developer does not have any concerns about making a commitment to allow or give R/W to connect to the Pensey Trail through this site as we are looking forward to the Pensey Trail as an amenity. He said this property is in Southern Hancock School district serviced by Sugar Creek and Brandywine Elementary Schools and Doe

Creek middle school and New Palestine High School, according to the Hancock County GIS mapping source. Mr. Going goes on to describe the subdivision with 6.2 acres of right of way, 50' right of way, and 13.8 acres of common areas that includes 3 ponds. He said lot 15 is the largest lot at 2.6 acres and smallest lot (lot 2) is 1.5 acres. He said the large lots make this development very desirable. He said streets will be 30' wide, with curbs and sidewalks on both sides of street. He said the expected home sizes are 2,400 sf minimum for 1 story (double the required size) and 2,600 sf minimum for 2 story homes. He said there will be some with three car garages. He said all architectural standards will be met and/or exceed the county standards. He said the expected home values will be between 600,000 and 1 million dollars. Mr. Going stated that the standards for the buffering are going to be 50' landscaping and 50' half right of way because the developer has insisted on these higher standards. He said the developer is going above and beyond the required landscaping for a nicer looking development. Mr. Going asked for a positive vote this evening and will answer any questions the board may have. Mr. Long asked if the architectural standards will be part of the commitments? Mr. Wooldridge questioned if they could ask for a continuance to come back to Plan Commission for review. Mr. Long answered yes, that is a possibility. Mr. Going answered that there are no zoning commitments, but approval of a Secondary Plat would be required, that will be filed in the coming weeks. He said the standards will be part of that filing and part of plat review. He said the standards will be available for review in the Planning office once the Secondary Plat has been filed. Mr. Long asked for remonstrators. None were present. Mr. Edon made a motion to approve. Mr. Hester seconded. Motion Carried. Four (4) approved, zero (0) opposed.

- 6. Kittle, Jerry - Turner Farms-Primary  
SW corner of 700 W & 500 N  
2 - 16 - 5

Planned Unit Dev.  
Primary Plat 23-2353  
Buck Creek

Primary plat for Turner Farms (144 lots) located on the southwest corner of 700 W and 500 N on 57.69 acres zoned PUD (Planned Unit Development). Ms. Brooks stated that this petition was continued by Tech to next month as there was no representation at the Tech meeting. She said there was a miscommunication when they were told that someone had to be at the meeting or their surveyor and they misunderstood and thought the office meant the County Surveyor, which was not the case. She said a representative from Turner Farms had to be present at the Tech meeting to answer questions. She said the Tech Committee did not submit any comments to the petitioner and the Tech Committee continued this item to next month and believes the Plan Commission should also continue. Mr. Long asked if there was anyone present representing the petitioner. Mr. Matt Price, Attorney representing AMH Turner Farms was present and stated he regrets the miscommunication regarding the Tech meeting but would like to present and asked for approved of the plat being contingent on Tech Committee review and comments being satisfied. Mr. Price stated that this plat conforms in all respects but will leave it up to this board to vote as they see fit. There were no remonstrators. Mr. Long stated that he would like the Tech Committee to review before this board approves this Primary Plat. Mr. Hester made the motion to continue to next month for the petitioner to appear before the Tech Committee. Mr. Wooldridge seconded motion. Motion carried. Four (4) approved. Zero (0) opposed.

- 7. Plan Commission Board membership – Advertised for a public meeting. Ms. Cook stated at the beginning of the year a question came up by Mr. Wooldridge regarding the number of members on the board and the criteria for board member eligibility. Over time not enough description was

given for the appointments, the rules and procedures and the documents were only generally described. New changes and requirements to the statute have been made over the years regarding the way to appoint membership. She said what we need to find out, going forward, is what the statute requires as far as these appointments are concerned and reorganize the requirements for appointments to the Plan Commission, as the BZA is determined by state statute. She said in 2019 the Plan Commission went from a 9-member board to a 7-member board when McCordsville and Fortville decided to go out on their own. She said the Towns of Shirley & Spring Lake were to appoint a member each and adopt procedures for their appointees. She said there is a provision that states you can adopt your own procedure on how to appoint members for the Plan Commission board. She said before the next meeting new rules and procedures for the Plan Commission will be created according to the state code and procedures. She said language in the county's ordinance found at American Legal Publishing online needs to be looked at and amended to reflect the changes that have been made over the years as well. There was not further discussion.

#### OTHER BUSINESS:

1. Ten (10) acre tract exemption ordinance – Ms. Brooks said we are seeing issues in some rural areas of the county and per Vanderwahl, who wrote our Comp Plan, noted three (3) weaknesses within our ordinance: 1) The minimum square footage of a home is 1,200 sf on the main floor. She believes 800 sf should be the minimum living space of most homes. 2) Multi-family use is only allowed in a few zoning districts and doesn't address four-plex and tri-plex units. 3) Farming preservation: The consultant (Vanderwahl) noted that the density is basically unregulated in the Ag district and no subdivisions are allowed in that zoning. She said currently 10-acre tracts can be subdivided and recorded, then these 10-acre tracts are then being divided into a 3-lot minor subdivision plats that goes to Tech and Plat boards for approval then gets recorded. She said the rural sprawl factor is what we are focusing on to minimize the long narrow lots that we are seeing now and then to know what to do with the field that is left over. She said she believes this is a weak spot in the ordinance and we are being flooded with 10-acre minor subs. Mr. Long stated that the major problem with the long narrow lots that are causing issues later are overgrowth with weeds or junk being kept in the rear of the parcel, also more cuts into the road for driveways for those lots. He said his recommendation is to look at this and find a better solution. Mr. Edon suggested to allow a smaller lot at maybe 4-5 acres instead of 10 acres in Ag or RR (Rural Residential), as most people do not necessarily want 10-acres. Staff stated in the past the County Commissioners reduced the 2-acre minimum size lot to 1 ½ acres on septic. Ms. Brooks said exceptions, especially 3:1 Depth/Width Exception should be kept to a minimum. There was a long discussion about different scenarios and planning suggestions and Ms. Brooks was directed to investigate this further and check to see how other Planning departments handle this issue.
2. Staffing and job description changes – Ms. Brooks, Planning Director stated there are changes being made to the titles and job descriptions in the Planning Department. She has worked with the County Council and Ms. Sweet (Office Manager) to basically promote Darla Smoak to the Zoning Compliance Inspector position to change the job description and elevate her pay. She said she is still doing the job she was already doing, as well as doing on-site zoning code inspections. She said in the process she changed the Deputy Director Position (which is

now the assistant planner position) to fund the raise for the Zoning Compliance Inspector. The Assistant Planner Position will be more of an entry level position or junior planner position, hopefully someone with an AICP certification or willing to go for that certification once they have the experience. She said four years of experience is needed before the AICP certification is obtained. She said this position has been posted on the Hancock County website. Mr. Long explained that in changing the expectations and salary of the Deputy Plan Director to Assistant Planner and raising the salary of the Zoning Compliance Inspection/Zoning Assistant the Planning department did not spend any more money but evened out the salaries. He said if/when Ms. Smoak decides to retire, then we have a more marketable position in the department. He said this recognizes what Ms. Smoak has been doing well and compensates her for it. There was no further discussion.

3. Ms. Brooks said Google drive is being used to upload public information and has made it available to our attorney Ms. Cook and Mr. Long. She said she may go ahead and send out links to the Plan Commission to review the information for the meetings to see what has been filed but must check with our IT department first.