Mr. Habig called the official meeting of the Hamilton County Plan Commission to order at 7:05 p.m.

Members present: David Musselman, Diane Crim, Frank Habig III, Jim Galloway, Mark Heirbrandt, and Steve Schwartz. Absent: Amanda Baird, Kent Ward, and Tom Clover. Also present: Charles Kiphart, Director; Aaron Culp, Legal Counsel; and Linda Burdett, Secretary.

Declaration of Quorum: Mr. Habig declared a quorum with six out of nine board members present.

Guests: See sign-in sheet.

Communications/Reports: Nothing to present.

Approval of Minutes: Mr. Habig asked for the approval of the minutes from the May 15, 2019 meeting.

Mrs. Crim so moved.

Mr. Schwartz seconded.

With no comments or corrections… Mr. Habig called for the vote. 6 yes votes… 0 no votes.

Public Comments: Mr. Habig opened the hearing to anyone from the public who wished to speak to the board on anything other than what was on the agenda. Please step up to the podium and state your name and address.

Eva Boyd stepped up to the podium. I was here last month and talked about entertainment vs sustainability. I had heard a rumor in December that 2,200 acres were going to be designated or possibly designated as a Disney something-or-other. We have a lot of entertainment around here with parks and a lot of other things. Over a million acres of food production have been destroyed within the last year. Look as what is happening to our Indiana farmers. We are in deep trouble and we need to realize that it is more important to feed our community than it is to build more and more.

I think we need to think differently – the strange weather; the more “natural” disasters; nuclear, chemical and biological threats; societal unrest; and looming threats of war.

We need to be thinking in terms of organic farming. More and more people are having allergy problems and sensitivities to all kinds of things. We need to be thinking in terms particularly in farming - no GMOs, no chemical fertilizers, no added hormones, no extra antibiotics, none of these things. We need to have more free range cattle, sheep, even llamas.
Think off the grid because that is one of the big threats. Without electricity and our cell phones what are we going to do?

We need to be thinking in terms of foresightedness instead of bigger, bigger, bigger. I was thinking about some of the cottage industries. That 2,200 acres could have a lot of free range things. Possibly for hunting small game.

A recycling plant would be a need because several months ago there was an article in the Indianapolis Star that said that Indianapolis is doing one of the worst jobs of recycling of all the big cities. There are several industries that use recycled products and they are having to pay shipping from other states. We could have a cottage industry of recycling that would service other communities in our area.

Some of the other things for cottage industries would be crafts, food, and clothing made from different animals on the property. Everybody would have their own properties. We would not want a socialistic kind of thing because socialism has never worked anywhere it’s been tried in the last 200 years or more.

We need herbs of all kinds for medicine, food, and teas. We need people who are going to be able to think alternatively. Conventional medicine can’t take care of everything. God put herbs here for us to use. I can’t remember who but someone said, “make food your medicine and medicine your food.” We need some people who are going to specialize in that kind of thing.

Reduce, reuse, recycle, re-purpose and repair. The repair part of non-electrical things could be a big, big help in a cottage industry.

We need to think of solar and clean wood and clean coal for cooling and heating instead of depending on electricity. We need to use the best of fertilizers for lawns, gardens, farms, and more. The Amish are still doing that. They’ve done that for centuries.

We need a place where we can study and protect pollinators. They’re all endangered – from bees, to hummingbirds, to butterflies. And when they go… we’re soon gone. We need to protect them.

We need to think of handi-caps and disabilities as different abilities. We are all getting older. Some of us feel it more than others but we do have abilities. They’re just different from what they were when we were younger.

Another thing I thought of is that we are going to need all kinds of people. We’re going to need attorneys, master gardeners, architects, contractors, holistic health practitioners, business people, and more to contribute to something that might be considered a modern Conner Prairie.

In terms of our young people, we need to think of schooling in a different way. Perhaps more like home schooling, co-op schooling, or the old fashion country schooling where possibly in the morning kids would learn about the true history of the United States and other countries; geography, math, and science, bring cursive back – we need it. Management and business practices, literature, the classics, poems, and so forth. We need music and the fine arts. Perhaps
this could be taught in the morning and then in the afternoon there could be hands-on practical experience with any number of these cottage industries – maybe one to five days a week.

We need to think of housing in terms of earth homes, tiny homes, and homes made from shipping containers – 20, 40 ft. ones that can be doubled, stacked, or whatever. A lot of people have used some very innovative ideas for shipping containers.

We need to think in terms of composting toilets. Not using the water but recycling the water as much as possible. Using old fashion windmills that are maybe 20 to 50 feet high. Deep water wells that would be checked often. We do not the wind generators. They’re extremely inefficient and they’re harmful to nature as well. We need heat efficient coal and wood burning stoves that would utilize wood perhaps from the power company’s trimmings, the forests when they are thinned out to prevent forest fires. That could be a private industry in itself by just collecting the material.

We need youth involved in learning old practices. The yellow flag days are over. This is red flag.

What will happen if we don’t have enough food to feed our people? Indoor gardening or hydroponic gardening have both been used very successfully and that way you could have year-round gardening.

I just hope that somehow this will catch on because I know it can’t compete with big-dollar investments and huge tax breaks for already established corporations. I think we need to get back to thinking about Little House on the Prairie days. What would we do without electricity? What would we do without the grid? We would be in big trouble if there aren’t people foresighted enough to look at different ways of doing things and have a catchall net that could be an example to other communities around our nation.

I have another item. Schools and businesses. Why couldn’t we allow all personnel who are comfortable with firearms and other weapons, and trained in such, to have those things on-premises at all times? Why don’t we have mandatory self-defense classes for all K-12 students, paid staff and volunteers?

We all need to be paying attention to our surroundings. We need common sense in not going places alone. Knowing the basics of what to do to protect oneself would be invaluable no matter where they are or what they do. And just a sign in the window that says “Warning, not a gun-free zone.” would have criminals thinking twice about going into a possibly hazardous situation.

Thank you.

With no one else from the public stepping forward to address the board… Mr. Habig closed the public comment portion of the meeting.

Correspondence: Nothing to present.
President’s Report: Nothing to present.

Old Business: Nothing to present.

New Business: Mr. Habig identified NBZA-S.U.-0009-06-2019 an amendment to an approved Special Use. We are passing on a recommendation to the North BZA. It concerns amending the recorded commitment (to allow no more than 15 horses as part of the NBZA-S.U.-0003-07-2014 approval) to now allow no more than 25 horses on the property. Location: 9905 East 286th Street, Atlanta, Indiana. Would you like to step up to the podium?

Brandi (Buckmaster) Snodgrass, of 9905 East 286th Street, Atlanta. I am here today to request a variance that would allow the amendment of the existing approved Special Use of 15 horses to increase to 25 horses on the property. I am also requesting a variance that would allow for the 10 additional stalls required to house those extra horses. I am requesting this variance because it would allow me to provide the services required to my customers. The additional 10 horses account for the lesson horses that I need to provide these services to my clients. I use them to teach weekly lessons to the public, summer camps for kids, and my intercollegiate equestrian team. These services account for roughly one half of my monthly income for my business. The other 15 stalls are used for horses that are boarded at the facility. These boarded horses go to the horse shows, lessons, and participate in clinics. They account for the other half of my business. Without the acceptance of this variance we will fall on a definite hardship. Without the additional 10 lesson horses we will no longer be able to provide those lessons to the public, have camps, or our equestrian team. If we choose to just keep the lesson horses and not the boarded horses the income from just teaching lessons will not be great enough to support this facility. If we choose to keep the boarded horses and not the lesson horses the income will also not be great enough to support this facility. It is imperative that we maintain the balance of both the lesson horses and the boarded horses to generate the income needed to ensure the health and prosperity of the facility and its business.

The approval of this variance will not be injurious to the public health, safety, morals, and general welfare of the community and in-fact I believe we are a strong asset to this community. Our clients stop at the local shops. They buy gas. They stop for lunch which will help this rural community’s economic wellbeing.

The equestrian community as a whole brings a certain type of participant. They are generally well-off, quite respectful, hardworking, and of high moral statute with a nearly non-existent crime record.

If this variance is approved the property adjacent to our facility will not be affected in a substantially adverse manner. We will continue to meticulously maintain our property, plant trees, and improve the landscaping over the years. We will also continue to care for all of the animals that call it home to only the highest standard which will create a more beautiful countryside for our neighbors to enjoy.

If the strict application of the requirements for the existing zoning ordinance were upheld this facility would surely falter. We would be forced to sell as our business would become so limited
that we would be unable to provide for the needs of this farm. This would be completely unnecessary. We have plenty of grazing space for these horses, however, we do not rely on the grazing alone to feed them. We give them plenty of hay and grain on a daily basis.

We also remove all manure so that it is not spread on any of the fields. And we are able to supply a port-a-pottie to the facility so our clients have a bathroom they can use until we are able to get a commercial septic system installed for them.

We are a quiet run family facility. We maintain a very high standard and we will continue to do so for many years to come. Please accept this variance and allow for the 25 horses on the property so we can maintain this beautiful equine facility and grow into a successful business. Thank you.

Mr. Heirbrandt asked Ms. Snodgrass how long she had owned the business.

Ms. Snodgrass stated that they have been at this property since January 3, 2019. However, I have been in this industry my entire life. We have had rental facilities up until now. This is the only business I have ever known.

Mr. Habig asked Ms. Snodgrass at this time right now with the 15 horses what is the manure management.

Ms. Snodgrass stated that they have services by CGS. We have a big dumpster. They come and remove it as needed. We also have a manure containment container system that our shaving provider will come and empty.

Mr. Galloway asked Ms. Snodgrass for clarification that she had been at this property since January of 2019.

Ms. Snodgrass answered, yes. We just purchased this property earlier this year.

Mr. Heirbrandt asked Ms. Snodgrass if she had had some discussions with the health department to address any of the concerns that they have. (2) Would you be willing to follow their guidelines if this variance was approved? (3) What about parking for your clients? Do you have adequate parking space?

Ms. Snodgrass stated that she received the email and left a message for them yesterday. (2) Absolutely. (3) Yes, we do.

Mr. Habig asked Ms. Snodgrass if she had received any letters from Soil and Water as far as increasing the manure management. (2) And you would be willing to follow their guidelines also?

Ms. Snodgrass answered, yes. I was given a letter just before this meeting. They were just wondering what the manure management would be. (2) Absolutely.

Mr. Heirbrandt asked Ms. Snodgrass about delivery trucks. (2) Have you talked to your neighbors?
Ms. Snodgrass stated that they had hay delivered roughly twice a month, grain gets delivered every other week, and then the shaving delivery comes at most once a week. That’s about it other than UPS. (2) I have not. I have stopped in a few times but didn’t catch them unfortunately. I did talk to the neighbor that is building the new house right behind us. I don’t think they’ve moved in yet. I very rarely see them there.

Mr. Schwartz stated that he has a letter from the Hamilton County Health Department. It says “the septic approved and installed in 2008 was for a three bedroom residential septic with a tank from the barn.” I don’t understand what that means. (2) So you’re saying there are two tanks – one for the house and then a tank for the barn?

Ms. Snodgrass stated that there is another tank that is outside the barn. I think it was installed for just the use of the wash rack that is in the barn for the horses that are getting washed off. (2) Yes.

With no further questions from the board… Mr. Habig opened the floor to the public for anyone who wanted to speak for or against the petition. And with no one stepping forward to address the board… Mr. Habig closed the floor to public comment. I am ready for a motion to pass on to the North BZA.

Mr. Galloway moved to pass NBZA-S.U.-0009-06-2019 to the BZA with a favorable recommendation with the suggestion that they condition it on following the health and the soil and water department recommendations.

Mr. Musselman seconded.

With no further comments… Mr. Habig called for the vote. 6 yes votes… 0 no votes.

Mr. Habig continued the meeting with NBZA-L.U.V.-0010-06-2019 a Land Use Variance request. We are passing a recommendation on to the North BZA. This is concerning allowing for a public event site and facility with more than 100 attendees, wedding events, etc. Location: 24157 and 24077 Cornell Road, Noblesville, Indiana. William Preble, owner. Would you like to step up to the podium?

Good evening and thank you for hearing this case; and thanks to all my neighbors who showed up so we can finally discuss this issue. It is a 3 acre and a 10 acre parcel for a total of 13.9 acres. I bought the farm in 2006 I believe. I had a landscape company so I bought it to possibly store trucks and equipment but never really needed it for that purpose.

In 2011 my boys moved into the double-wide and for the last three years I’ve been living there. Currently I have leased the property down at Camp Crosser a half a mile down the road on State Road 37 with the intention of renting that house and moving there which would enable me to clean up the barn and move stuff off the property with the intention of rehabbing the 115 year old barn and adding on to host weddings on the weekends. This is my primary purpose.
For the last three years I have traveled all over the mid-west and interviewed, talked to, and visited as many as 15 of these venues. My hope and dream is… this isn’t going to be the biggest or the busiest but… certainly the best as far as design, esthetics, maintained, manicured, and managed. I think it will be second to none in the mid-west.

At this stage of my life I have worked two jobs – part-time UPS at night and had a landscape company for 25 years. When I think about what I want to do for the next 25 years, or my last 25 years, I keep returning to this as something that I’m passionate about. I love the idea of serving the community, serving young couples and their families on such a great thing as a wedding and the idea of restoring a historic structure like this. I think people will get a tremendous appreciation out of the construction of this barn.

Over the years I have installed landscaping and then walked away but my dream is to install the landscaping and watch it grow.

I would be the only employee and it says two full-time and two part-time in the information but I would be hands-on for the first year. And it would be primarily on the weekends. It is not something that I want to be a slave to. These things are all over the country. I think my location is ideal. I would be disappointed if I was a bridal couple and wanted a barn wedding or country wedding and it’s inside the city limits or it’s over on Meridian Street with all the traffic. I think the tranquil setting of farm life is what a barn wedding or country wedding is or should be. I know there are issues about noise, issues about traffic. I would love to address those as they come up.

I have worked with Peterson Architecture to minimize the windows on the Cornell Road side. I think there is a lot we can do to mitigate the noise. I have talked to Bob Cruzan who owns hundreds of acres on three sides of me and even discussed swapping some land where I could do the parking out into the existing agricultural. I could do more mounding and evergreens and do a much better job of parking rather than eating up some of my woods which I would like to keep as much of those woods as possible.

I think lighting could be an issue but to the west, the north, and the south is all field right now. I don’t anticipate shining any lights on the neighbors across the street. I do want to be considerate of them. I feel like I have really tried to go out of my way to address any questions and concerns. I have knocked on a lot of doors and talked to a lot of people. I’ve got a whole room with pictures, property surveys, architectural designs on the wall, details on the hardware, windows, patio, furniture. I’m willing to show and share with anybody that has concerns. I would love nothing more than to address those concerns and make it work for everybody involved. I think I’m in a position in my life where I can give back. I’ve been in the landscape business for 25 years and I think I have the experience and the skill and the desire to make this work for the neighbors whether its screening or mounding or even doing things on their property if they were willing, at my cost. Basically, whatever I can do to make this work for everybody is my desire.

Traffic – I think being a half a mile off of State Road 37 is an ideal distance from a main highway. I’m not trying to take a lot of people through the back country roads to get to the location. I’m hoping that that is a minimal distraction on the farmers and everybody else.
I’m willing to answer any questions and be as up front as possible. I think there are some things, as I read these letters, they misunderstood and I would be happy to address. Thank you very much.

Mr. Heirbrandt asked Mr. Preble if he had had the opportunity to talk to all his neighbors.

Mr. Preble stated that he had knocked on every door for almost a ¾ mile circumference of his property. There are 20 some signatures. I have spoken to them and tried to explain and answer any of their questions. There are a number of neighbors where, for over two years, I have discussed the idea of this. The neighbors across from me I addressed in late winter, early spring and a number of times here recently as the hearing came closer. I have provided hand-written notes inviting them over to my house and answer any questions.

This isn’t a last minute decision. One of the first people I contacted was a guy north of Lafayette that dismantles these barns and moves them all over the country. He came down to look at the structure. He thought it was a very unique structure and structurally sound. That helped initiate this moving forward. I have traveled all over the mid-west and interviewed owners and asked what their concerns have been? What they would have done differently? What they regret doing? Very few people who have the same type neighborhood, and many of them are much denser than this particular neighborhood, but very few have had issues with the neighbors once it’s up and running.

I talked to Mr. Sloderbeck and told him if security was ever needed, I would be happy, for my own peace of mind, to supply that anytime there is a personal event there. I think that is a good idea and I am open to suggestions like that. Nothing is off the table as far as I’m concerned.

Mr. Habig asked Mr. Preble if he had a top number on the attendees. I see on here where you say more than 100. What is your maximum? (2) The size of the barn would accommodate at the maximum how many people?

Mr. Preble stated that he thinks 200 people is common. That’s not the target market I’m shooting for. (2) All the designs aren’t finished yet but we’re looking at about 5,000 sq. ft. So, there is plenty of room to handle 200 people if you wanted.

Mr. Heirbrandt asked Mr. Preble if he resided in Hamilton County.

Mr. Preble stated that he has resided here since 1993.

Mrs. Crim asked Mr. Preble if he would be doing the catering. (2) Do you have set hours? Or what would be the latest time?

Mr. Preble stated that after talking to lots of people he wants to be hands off at least starting out as much as possible. I’ll supply the wedding venue and the wedding party can decide who they want to cater it, whether they want alcohol or not – that would have to be a licensed caterer, flowers, all that. I am strictly providing the building facility right now. (2) From all the venues I have checked it seems like 11:00 p.m. There is no music, things are shut down, and people are dismissed at
11:00 p.m. Hopefully the caterers and everybody are cleaned up and gone by midnight. That’s just standard.

Mr. Habig asked Mr. Preble for clarification that everything would be contained inside the facility, inside the barn. There would be no outside…

Mr. Preble stated that on the design there is an outdoor patio and also an outdoor wedding chapel proposed. There is an old steel building on the property already that I would like to rehab and use that industrial look as an option for outdoor wedding services. Then there would be a patio for a socializing area connecting those two buildings. There would be people outside.

Mr. Habig advised all those present that what this board does is vote on whether or not this fits with the comprehensive plan. We don’t do any thing here as far as figuring out lighting, or parking, or noise, or hours, or how it is going to be buffered or landscaped. That isn’t what we do here. That would be at the BZA meeting. All we’re doing is passing on whether or not… does this idea fit in what we have as a comprehensive plan for this area. Safety concerns – that’s definitely something we look at. Environmental – yes. But as far as the lighting, the number of people, the noise, landscaping, and all of that, that is up to the North BZA.

Mr. Preble stated that obviously he has thought about this for a couple of years. I really do believe that that historic barn and the farm structure that’s there is the perfect scenario for weddings. It’s agriculture. For a barn wedding venue, I think it’s ideal. I’m not proposing any new structures, any new type of architecture.

With no other questions from the board… Mr. Habig opened the floor to anyone who wished to speak for or against the project. Step up to the podium and give us your name and address.

Leslie Cox, of near the intersection of 246th Street and Cornell Road, stated her name and general location for the record. My husband, John, and I have lived there so long there was no zoning when we actually moved there. I can remember when you first started talking about zoning and we were so leery about what would happen and we were so happy when you made this whole area agricultural A-2 with large lot residential. It has worked out very well and we have been very pleased with that. As you know the purpose of zoning is to promote the public health, safety, rules, convenience and general welfare, and permit a full range of agricultural activities and large lot residential development that would protect agricultural uses. We have no commercial mixed use within several miles of our area. Even requests for home businesses have been denied in our area, and similar businesses have been rejected in our area.

I’m going to talk about compatibility with the comprehensive plan with this whole area. A wedding venue sounds very benign. This is not going to be a wedding venue per se. It is going to have a party. It’s going to be a party facility and other events will be held there in addition to weddings and receptions.

The compatibility goes way beyond appearance in what this would look like in the neighborhood. This is a very, very quiet rural road. One neighbor commented that if eight cars go by in a day it is a busy, busy day. Most days and especially in the evenings when all of these events would
happen… it is so quiet that you can stand outside your house and hear a bird, the crickets and literally nothing else.

Virtually every person that lives on this road has commented that they live there because of the peace and the quiet and the safety. We all feel very comfortable and safe out there. We are concerned about the noise. If you live in the country you know that sound travels great distances. You can step outside your door and hear people talking and there is nobody within sight and you realize that they are a fourth of a mile away from you.

This proposal is surrounded by agricultural land. Farmers have to farm when they can farm. This year was a perfect example of that. I don’t know what will happen if an event is going on and the farmer has to get out there and combine his corn or bale his hay and dust and crop debris is flying all over the place.

In my opinion a proposed commercial business is just not at all compatible with the comprehensive plan and the intended use of A-2 zoning. And I think it is a bad precedent to start allowing businesses to take place up here.

I think as important as the compatibility of the immediate area is you need to look at the general area there. This is a very small road. Over 100 vehicles on this road is just beyond my comprehension. This road at its widest is 16 ft. That is the same size as a double garage door. On a typical road one lane is 9 to 12 ft. if that gives you any perspective on how small this road is. In some places you cannot meet an on-coming car without pulling over onto the side of the road which has now been destroyed by the utility company. It is full of ruts and very hard to pull over.

State Road 37 will be the main access to this road. I don’t know if any of you are familiar with this area. At Cornell Road, State Road 37 has a curve, a very steep curve and if you’re traveling northbound and trying to turn onto Cornell Road you don’t see on-coming traffic until the very last minute. If you have to stop for on-coming traffic you hug the center lane and you pray that nobody rear-ends you because people aren’t expecting a turn there. If they try to pass you on the right they are on private property and there is very little room to do that.

At the other end of Cornell Road is 256th Street. It is a similar dangerous intersection. There is a curve but there is also a hill, so the sight is very restricted.

We live right in the middle. Then 246th Street makes a jog there. There are stop signs on both sides of Cornell Road. People blow the stop signs all the time. If crops are up you can’t see anything. At night it is extremely dangerous. It is very confusing too. People get lost all the time. People drive through the fields. They drive through the signs. It just happened a couple weeks ago. The county had to come out and put a new sign up because somebody drove through the sign that says the road goes both ways.

Just this past week car parts appeared at the corner. So somebody didn’t make it through the jog, they hit something, and drove off leaving parts of their car behind.
Over 100 vehicles and people many of whom may have been drinking at these parties are now going to be on this road. One neighbor commented very sadly that he feared that somebody would get killed coming from this party.

This is not just strictly a wedding venue. It sounds really nice and it sounds very quiet and peaceful but it’s not. It’s a party with music. It’s a party with drinking. I don’t know what other kinds of events will be allowed in there. We haven’t gotten that far yet. There’s no need for this type of facility in this area. I’ve lived there for 50 some years and nobody ever said “boy, we really need a party barn in this area.”

I think this is a fad that is going to pass. There are party barns all over the place. There is one that is just a couple of miles away from us on a major road set way, way back off the road.

We have a representative group here tonight from Cornell Road. There are many more. Virtually every single person expect for two families are opposed to this plan. And come time for the BZA there will be a bigger showing of people.

People bike on this road. They won’t be able to do that anymore. It will be too dangerous. They won’t be able to walk or jog on this road.

It became very clear to me today that the only person who will benefit from this project is Mr. Preble. The rest of us will all experience some kind of hardship whether it’s the noise or the safety or just the general inconvenience. The lady who lives next to us is elderly. She has health concerns. I can’t imagine what it will be like for her to look out her window and see a hundred cars, and people, and noise, and lights, and so forth.

I’m afraid people are gonna have to sell their homes. This barn is very, very close to the road. There are people directly across the street from this barn that live very, very close to the road. They will be very close together. I think the people will want to sell their homes. I think the property values are going to go down because of this project. And if we’re forced out of our homes and have to sell at a lower price it’s not right. It’s not fair. I really urge you not to allow this project to move forward. Thank you.

**Jason Wells** stated his name for the record. I currently do not reside in this area. I did for about 20 years. I bought a place in Orestes. When he mentioned this two years ago he didn’t have a proposal. He said “I want to have a wedding barn.” The other contention I have is… Mr. Cruzan doesn’t have hundreds of acres there’s probably 50 acres surrounding your property. I want the true information cause I’m not making stories about something he’s done and I don’t want him to present that same information. He’s not very far from the road. I don’t know how he is going to get a mound between the road and that barn that is effective enough to stop his noise from coming over. That’s pretty much what I wanted to say to rebut what he said for the record.

There is one other thing and it’s not the matter of his landscaping business because I think he’s closed that but I don’t have a problem with him staging his equipment there and running his business out of there that’s fine. But to say he didn’t do that, that he used another property or that wasn’t what it was used for… that’s untrue as well. I don’t want to get into one person calling
somebody else out on that but if it’s “for the record” that’s not the record as I recall, Bill. I’m sorry.

It’s not a personal thing with you but that’s not as I remember it. No one, I don’t think, here in the community said “Bill is using his property for a business. He doesn’t have zoning.” I think his employees, or some people got in the truck with his equipment, left, and came back. And if he wants to have a party with his friends for the weekend or a few parties… I can tolerate that. But parties for hire for others that’s where it starts spilling over into others quality of life for his profit. I give the guy who owns the property a lot of latitude because he has invested his dollars to have his property for his ideas but when it goes to a commercial enterprise in a residential area… that’s an infringement on the residents. I thank you for hearing what I have to say.

Good evening ladies and gentlemen. I appreciate the ability to be able to come before you tonight and speak my mind. I am the landowner directly across to the east of this party barn. This entire property is where I grew up. I was 7, 8, 9 years old. Right now my sister lives in the house that is just about 70 ft. from the road’s edge. She is on disability and suffers from severe anxiety. On normal days she has no problems whatsoever. I’m afraid of what it will do to her. She’s lived out there, as far as particular piece of property, the longest. My grandmother had redone the house back in 1994 or 1995 to move her out there into the country where it was quiet. My grandmother gave me the land behind the main house to build my house because it’s quiet. I took care of that land out there for years.

I worry about this because the road will not be able to handle the construction let alone the additional traffic of 100 plus vehicles. The road is one inch shorter than what my regular double garage door is. You can’t pass another car without pulling off the road and right now it is very tough because Duke Energy sub-contracted out to have new poles put in and they have pretty much torn up edges on both sides of the road. I cannot see the county putting in a new road for this particular venue. It would have to be widened. People would lose parts of their properties. Right now there are no utilities out there. We have no internet or wi-fi. There is no big well on that particular land. I have no idea where they would put the septic without it being covered by asphalt and concrete or whatever.

The parking areas in looking at his plans goes back and forth between blacktop, gravel, grass, and then back to blacktop, gravel, grass…it contradicts itself. As Mr. Wells indicated the barn is very close to the road itself. I think it was measured at 71 ft. That’s the setback from the road. There is a garage over on one end. There is no formal drive. The barn isn’t 113 years old. We have pictures of the slab that it was built on in 1950 something. It is an antique barn and it is very nice. The only thing that you could do is take it down maybe to the four or six 24 by 24 main beams that hold everything up but everything else would have to be replaced. So I don’t see that being fixed up. As far as trees around the property… for the last two to three years those trees have been cut down and taken away. There are a few main big ones but nothing that would stop any kind of noise or weather or anything else. This is something that I assume he will have to re-zoned. When we built our house out there in 2005 we were told immediately that there is no business, no commercial in White River Township in that area, period. Not even a home based business and we said “terrific. We don’t want it either.” So to go from agricultural to commercial out in the middle of the fields is a lot of wasted time, and paper. Out in the middle of nowhere is where it is
going to disrupt a lot of lives. My name is **Mark Bryant and I live at 24190 Cornell Road.** The properties at 24180 and 24190 Cornell Road are both in my name. So we are directly across from that barn. There are a lot of things on some of the pictures that I’ve seen that are very assuming without even giving any kind of clarification. I see a lot of not good planning and a lot of open spots that could be very dangerous for not only Mr. Preble but also contractors and anyone else. Thank you for listening to me.

**Nancy Wells, of 23948 Cornell Road,** stated her name and address for the record. I am just south of his property. It sounds like you have our emails. You have other input. The last few days I have become real concerned as I see more pictures, the initial letter I received, I felt a little bit deceived. Then when I talked to a few of our neighbors on State Road 37 in the last couple of days that the word to me was that they were approached by Mr. Preble and yea, I signed that. I don’t know how many signatures he has in favor of but according to the few people I spoke with he said “it’s for weddings. I want to have weddings. It’s a wedding venue.” When we got into a conversation about what goes along with a wedding… there’s a reception, there’s a party. There is agricultural land between me and Cornell, and Mr. Flannigan on State Road 37. They had no idea of the elaborateness that this could become. It’s not just a small wedding. We’re coming here to have a wedding, we’re going to have a time, 10:00 p.m. My sister she works in the government. How many venues have been denied? There was one in Hendricks County this week. One in Scott County a month ago. They were two to five miles off a country road, deep pockets, huge elaborate plans, I’m assuming more than Mr. Preble has and were denied because it is a country area and wants to be preserved as such. I’m concerned because I’m the second house turning off of State Road 37 on Cornell. I give my signal right past Hobbs Road just to draw attention so I won’t be rear-ended. I can’t perceive people coming into the area, not familiar with the area, and a lot of people do travel back and forth on State Road 37 daily who know the area and probably treat it like myself. I feel like our law enforcement is going to be spending a lot of hours out there with crash related things. Does the state and county want to invest in another roundabout? Widening and paving Cornell Road? All I can say is take a drive out there. We’re 10 miles north of State Roads 32 and 37, make a left on Cornell Road. Thank you.

**Jeff Mosbaugh, of 14419 East 246th Street,** stated his name and address for the record. I’m just west of the Cox family. They live at the corner of Cornell and 246th Street. Mr. Preble’s area is probably about a half a mile. This is a little bit different from what everybody else has talked about up here. Can I ask Mr. Preble questions just for information?

Mr. Habig stated that he would have Mr. Preble come back up for rebuttal after everyone had spoken. You can pose your questions to us and we can get him back up.

Mr. Mosbaugh stated that he had to agree with the people that were sitting to the left. I don’t have all the issues and answers as far as what I’ve heard in here but I think we all agree that State Road 37 and Cornell is a terrible intersection. This is an intersection that I frequently go to to come to Noblesville to work every morning. As Mrs. Cox and everybody has said… this is a dangerous intersection. We keep talking about this being a barn for weddings and possibly receptions afterwards. Is it also open for other parties? I know Mr. Preble said he would let the wedding couple pick out their own people as far as catering this so he makes it sound a little bit like he’s
standing back maybe going to be there every Saturday night or whenever there is a wedding but how much hands-on is he going to be at this project?

As he stated he is living down the road or going to be living down the road which won’t be that close. I don’t know if this will be open to parties other than just weddings. I think that is a big concern we all have. I know he talks about safety and what it would do to the community there nearby. Like Mrs. Cox already said… people run through signs out there all the time. A lot of them are intoxicated. I just have general concerns. I just do not see this fitting. In my heyday I had a couple of parties where I lived, and it was between two big pole barns more than likely and my neighbors called me. So I don’t know how that’s going to be buffered. That is a big concern of mine. I think I might have read in here if this stated correctly as far as the acreage is going to be involved in this which would be just the wooded area. I think he owns maybe possibly 10 acres behind this property and I want to ask him. All in all I am against. I see some issues there especially late at night when we’re all maybe going to bed. It has always been a quiet rural community. Thank you.

Christine Stiles, of 23950 Cornell Road, stated her name and address for the record. I also own the property at 23820 Cornell Road. My cousin, Mr. Bryant, was up here earlier. Our great grandparents, Otto McCarty and Minnie Carroll McCarty, homesteaded all of that land out there. I have lived out there my entire life. I have concerns and all of what they addressed as well. I would like a little bit more information, too. I’ve seen this county change and all these people move in and it is nice to be out there in an area where it is not crowded. We’ve watched all of the farm land around Noblesville disappear and vanish into housing additions and businesses and strip malls. You used to be able to get from my house to Castleton with one stop light. Now there is talk of making the highway with overpasses and doing like they have over on 431 with State Road 37. I guess my main concern is bringing something commercial out there might change the face of what it is out there. The road is narrow as has been said already. Since I took stewardship of my properties out there my concern has been people being out there that don’t belong out there. If I had my way I would build a family compound and put a gate down at the end of the highway and no one would be allowed down the road. I am torn. Since my brother passed away in 2015 Mr. Preble has been a good neighbor. He has been a good steward of that property. I would like to see the barn restored. Honestly I don’t know if this is the answer for that or not. My thing I would like to see is for the neighborhood to continue to be the neighborhood. I did not know that he was talking about putting more parking spaces into the field. I don’t want to see any of the agricultural land taken up for anything else. I don’t want this to be a precedent to get a strip mall going into the field right across from my house. All of that land used to belong to our family. Most of these neighbors own some of that land now. Personally, I’m the only member who has lived on Cornell Road longer than anyone else in the room and each time a house is built out there it kind of tears at my heart a little bit because I do like the country setting. I want to see it preserved. I think unless we can address all of the concerns and issues, I don’t know if you can put limitations on things like that and say “listen, we’ve gotta restrict this to this number of attendees and no more”, and certainly I would not be opposed to saying “you can’t have wedding parties that are gonna serve alcohol.” I do not drink personally, and I have parties without it. I’ve seen it done. I think it’s possible. Those are some of my concerns. I would like to see their property. I like the plans. I like the way it looks. And it would be nice if small wedding parties could have their events out there. I wouldn’t have a problem with that under the right circumstances. But I don’t
know how we do that because it sounds like it’s an all or nothing and we either give the permission for it to be commercial or we don’t. I would like to get a little more idea of how those concerns would be controlled and if the county would be willing to fix the road. Certainly Duke Energy is being slow about it. I put a work order in for them to address the issues since they seem to be finally done with our electrical poles. It seems like they’re out there every weekend. I don’t think the county wants to put any more money in our road. They usually chip-seal it. It’s not like it’s even good black-top. It is always the last road plowed in the winter. Which is of great concern because of getting my elderly mother to appointments and things is kind of an issue when the snow falls. We had to have Sloderbeck, who lives down the road from us, call and have somebody come out with a plow in order for my dad, when he was living, to get to one of his cancer treatments. It is really the middle of nowhere. We live in a nice little secluded area even though it is off of State Road 37. I’m certainly not opposed to it. I’m not necessarily for it either. If it is approved, I want it to be done sensibly but it doesn’t sound to me with all the concerns that have been address and things that would need to be done that it’s possible.

Mr. Habig stated that to answer your question as far as the restrictions that would be up to the BZA. They could put an unlimited amount of restrictions on something like that as far as the number of attendees, whether they can serve alcohol, the time, noise, lighting, parking. But that would all be to the North BZA.

Mr. Habig asked Mr. Preble to step up and do a rebuttal on the questions that were asked.

Mr. Preble stated that obviously there are a lot of details to be worked out. God knows I’m more than willing to sit down with the adjoining neighbors to see what I can do. Even after hearing all these concerns it paints a somewhat dark picture that I don’t think truly exists. I don’t know where 100 vehicles is on there. The parking issues are all to be dealt with. For 100 vehicles I don’t think that is any where proposed. It is proposed to possibly park in that field as a better option that I could better screen and keep the trees and the parking away from Cornell.

How many acres Mr. Cruzan owns, I really don’t know. He owns all three sides of me. I wasn’t trying to mis-lead anybody.

All week long people should be able to bike, travel, walk the road. It is such a small window of wedding venue hours over the course of the entire week that I hope it’s not an inconvenience. I hope I don’t have any venues during the week. I don’t want to be a slave to it but I am open to fundraisers or things like that. I would like to get back to the community. Although it is considered commercial it’s only a fraction of the work week that its actually open and accessible.

The well and septic… I don’t think those are necessarily issues because other than flushing toilets that well is going to be way-overbuilt. There won’t be a whole lot of water use or septic. Compared to the size and use, it is really inconsequential I think.

I agree coming out on State Road 37 off of Cornell can be dangerous. I’ve addressed that with Mrs. Stiles the landowner down on that corner. The honeysuckle and the evasive plants that are growing up between the fence line and the ditch line are a big issue right there. The state needs to
look at it but I immediately said I could and am willing to clean up part of that. I acknowledge that it is an issue.

There are a number of access points to State Road 37 other than coming down Cornell Road on a Saturday evening. I think wedding traffic tends to be intermittent anyway especially dispersal time. It’s not a factor. It’s not a school where the bell rings and suddenly 40 cars are coming down and lined up on Cornell. I think it’s typically grandma and grandpa may leave early and somebody else may leave early. It’s intermittent over the course of the evening. Me as the business owner I think I would try to do all I can to address the fact that it can be dangerous whether we could put warning lights or work with the state or whatever to make my guests aware that there are other access points without sending a lot of people through the country. I do own 13 acres. It is a misprint on your agenda. I do own an alfalfa field to the back of the property.

And I am hoping to focus that wedding venue primarily towards those empty fields and power lines and away from Cornell, away from those neighbors. The last thing I want to see is someone knocking on her door who doesn’t belong over there or have her feel unsafe or any of the other neighbors. I do intend on being a hands-on manager and there on-site especially getting this thing up and running. Like I said I spent three years researching and I’ve put a lot of time and a lot of heart and a lot of personal savings and investments and I’m willing to invest in this thing to do it right. Once it’s said and done I really hope that the community and my neighbors are proud of it and it’s a destination they like driving by because it’s scenic, it’s beautiful, and it’s well done. I’m really hoping that it’s something to be proud of for everybody and not be the inconvenience it appears to be. That’s all I have to say. I appreciate everybody’s time. If this goes forward I would love to host a meeting with my neighbors and hash out a lot of details prior to going to the BZA. I’m willing to negotiate and see what works best for everybody to make this happen. Thank you.

Mr. Habig closed the public comments for this project and opened it up for a motion from the board for a recommendation on to the North BZA.

Mr. Culp advised all those present that motions are made in the affirmative. That doesn’t mean that the person is voting that way. Sometimes the person who makes the motion votes against it. Sometimes they vote for it but it will always be “I move to approve…”

Mr. Galloway asked if they haven’t passed things on with a non-favorable recommendation.

Mr. Culp stated that they have but usually the first motion is a positive and if it fails or doesn’t get a second then we move on to a negative or neutral recommendation.

Mr. Galloway stated that he thought that the negative recommendation was the first motion sometimes.

Mr. Culp stated that he thought they normally tried the positive first. Ultimately, if you want to make that, it’s your motion.

**Mr. Galloway moved to pass this on to the [commissioners] North BZA with a non-favorable recommendation.**
Motion clarified to be the North BZA.

Mr. Musselman seconded.

Mr. Heirbrandt addressed Mr. Preble. I think you are very sincere in you want to be a good neighbor. I just feel it when you’re up there. You really want to do the right thing. If you drive that area, I understand the traffic concerns and the safety. I’d love to see the barn re-done over there too. It’s beautiful. But I just don’t feel that it fits within the comprehensive plan for this setting for what you’re trying to do. I feel your passion that you have there.

Mr. Galloway stated that this doesn’t mean that it’s a dead issue either. It just means that we’re passing it to them, and we don’t see it as a favorable use for that area. That doesn’t mean that they won’t hear the petition and put a lot of conditions on it and go ahead and pass it anyway. That happens. It’s our duty to determine if we believe it’s compatible or not with the information we got and I don’t believe it is.

Mr. Habig stated that it’s a tough thing when you have an old barn like that and when the uses become limited on them and I hate to see them go to waste. I look at these venues as renewing some of these old barns instead of letting them go. I also have a concern about where people go in Hamilton County to have that setting to have their perfect wedding but then again there are certain areas that are a little bit more well equipped for that and I have a problem with Cornell.

With no further discussion… Mr. Habig called for the vote to pass on a non-favorable recommendation to the North BZA. 6 yes votes… 0 no votes. It doesn’t mean that it’s over. It will still go to the North BZA.

Mrs. Burdett stated that it would go in July.

Mr. Heirbrandt thanked everybody for being here tonight.

Director’s Report: Mr. Kiphart advised the board that in their packets was the budget for next year. There were increases in the salary for what the council had given us but the final approvals on the salaries are left up to council. Our internet services for our Municipal Code connection which is our zoning ordinance on-line and they have increased that by $ 95.00.

Mr. Schwartz asked Mr. Kiphart how we were coming with the comprehensive plan.

Mr. Kiphart stated that at your last meeting the commission decided to setup a steering committee and I called the people who had given us an initial estimate and the front page is what they proposed. I think their cost on attending some meetings is pretty high. I’m assuming that different consultants would have different numbers of people at these public hearings and meeting with the plan commission and with the steering committee. It seems like a lot of committee meetings I’ve been going to lately there’s almost as much staff and consultants at the meeting as there are people. That is a big expense for companies so I think that’s why they have put in that fairly high cost.
Personally, I don’t think it needs to be that high. I don’t think the consultant needs to have four or five people at each meeting.

Mr. Heirbrandt asked Mr. Kiphart if he planned on doing an RFP. (2) When do you plan to submit the RFP?

Mr. Kiphart answered yes and passed out an additional copy. The total they came out with to do the total plan was $150,000.00 to $170,000.00 and we initially talked about a price of $80,000.00 to $110,000.00. Again, that will be determined by council as to when the funding would be available. (2) We probably need to know the timing of when council tells us it will be funded and then how much they’re willing to give us to do it. I think Mrs. Burdett started on the list of people to send it to.

Mr. Schwartz stated that you’re pretty close to sending those out but you need council approval. (2) If you’re wanting it for this year, you’ll want to get on the July agenda if you’re prepared for that. We need to move on it so we can be planning.

Mr. Kiphart answered, yes. We want to make sure the money is going to be approved and whether it’s going to be next year or this year. (2) Ok. I can do that.

Mr. Kiphart asked for a recommendation on the overall budget that will go to council.

**Mr. Heirbrandt said this is not to exceed $150,000.00.**

Mr. Schwartz seconded.

With no further discussion… Mr. Habig call for the vote on the amount of money the board felt was acceptable for the revisions on the existing comprehensive plan. 6 yes votes… 0 no votes.

**Mr. Galloway moved to approve the budget as presented.**

Mr. Heirbrandt seconded.

With no further comments… Mr. Habig called for the vote. 5 yes votes… 1 no vote. Mr. Musselman voting no.

Mr. Culp stated that he had asked Greg Schrage who is handling the lawsuit against Mr. Calhoun to go ahead and submit a written contract with a salary rate of $175.00 per hour.

Mr. Heirbrandt stated that he had had plenty of time we need to move forward with it.

**Mr. Habig asked if they needed a vote on that.**

Mr. Culp answered, yes.

**Mr. Heirbrandt so moved.**
Mr. Galloway seconded.

With no further comments… Mr. Habig called for the vote. **6 yes votes… 0 notes.**

Legal Counsel Report: Mr. Culp advised the board that he and Mr. Kiphart had met with Mr. Schrage to give him all the information he needed to put together the lawsuit. He is working on that and he told the council that we did have a meeting already scheduled with Mr. Calhoun at which Mr. Kiphart went out and inspected the site and he has been given a detailed list of all the outstanding issues or violations. He has until July 3rd to complete any remediation and if he fails to do so that our instruction to Mr. Schrage is to go in on July 3rd and file the lawsuit. So unless he comes in and he’s completed everything or he’s only missing one inspection the lawsuit will have been filed by the time we meet next. That is all I have.

The next plan commission meeting will be Wednesday, July 17, 2019.

With nothing further to come before the board… Mr. Habig adjourned the meeting at 8:47 p.m.

______________________________
Frank Habig, III, President

_______________________
Date

______________________________
Linda Burdett, Secretary

_______________________
Date