

## **Johnson County Plan Commission**

### **November 22, 2021 Meeting Minutes**

The Johnson County Advisory Plan Commission met on Monday, November 22, 2021 in the Johnson County Courthouse Annex Auditorium. The meeting was called to order at 6:00 PM by Chairman Nathan Bush.

#### **I. ROLL CALL:**

**Present:** Chad Bowman, Nathan Bush, Charlie Canary, Gregg Cantwell, Pete Ketchum, Chris Kinnett, Stoney Vann, Pat Vercauteren, Ron West, Attorney Stephen Watson (Legal Counsel - not voting), Michele Hansard (Director – not voting), Rachael Schaefer (Senior Planner – not voting) and Angela Olson (Recording Secretary – not voting).

**Absent:** Jonathan Myers (Alternate)

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#### **II. APPROVAL OF MEETING MINUTES:**

Chairman Nathan Bush called for a motion to approve the October 25, 2021 Plan Commission meeting minutes. Vice-Chairman Chad Bowman requested name changes to minutes prior to approval.

**Motion:** Approval of October 25, 2021 Plan Commission meeting minutes. **Moved** by Ron West. **Seconded** by Pat Vercauteren. **Yes:** Bowman, Bush, Canary, Cantwell, Ketchum, Kinnett, Vann, Vercauteren and West. **No:** None. **Motion approved 9-0.**

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#### **III. PUBLIC HEARINGS:**

**P-1-21; Deerfield Major Subdivision – Preliminary Plat Request.**  
**35.247 acres behind 1247 S. Runyon Rd.**

Staff presented findings and facts to the board and recommended approval of request with Health Department conditions and walkway path connection.

Petitioner Ty Rinehart, Director of Land Acquisition on behalf of Lennar Home (11555 N. Meridian St., Ste. 400, Carmel, 46032) was present to speak and address concerns.

Board members asked questions and expressed concerns, which were addressed by Petitioner and staff, as follows:

- Q. Board member Charlie Canary inquired as to whether or not all of the checkpoint agency approvals/conditions been met?
  - A. Yes, all but Health Department condition.

- Q. Board member Ron West asked why the need for 11.6 acres of common area in a small subdivision density?  
  
A. The southwest corner of the area is a heavily wooded and wetland area. Also, the utilities run through that same southwest corner.
- Q. Board member Chris Kinnett asked if at water quality permit or approval letter from the Indiana Department of Environmental Management (IDEM) had been approved or received? If so, did they have any issue with the wetlands in the area?  
  
A. Yes, an IDEM approval letter has been received. No, they do not have any issues with the wetlands.
- Q. Board member Chad Bowman inquired as to whether or not Lennar is agreeable to the singular sewer connection to the existing residence, per the Health Department?  
  
A. Yes.

**Motion:** To approve P-1-21 to create a thirty-five (35) acre, sixty-six (66) lot major subdivision (with plat revision meeting the county standards adding the additional lot), Health Department conditions, walkway path connection, and Staff's Findings of Fact. **Moved** by Pat Vercauteren. **Seconded** by Charlie Canary. **Yes:** Bush, Canary, Cantwell, Ketchum, Kinnett, Vann, Vercauteren and West. **No:** None. **Motion approved 9-0.**

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#### **W-12-21; Terry Johnson & Brian Johnson – Waiver Request. 6876 W. 300 S.**

Staff presented findings and facts to the board and recommended approval of request.

Real Estate Agent Greg Leugers on behalf of the Petitioners (26 E. Jefferson St., Franklin 46131) was present to speak and address concerns.

Board members asked questions and expressed concerns, which were addressed by Petitioner, Remonstrators and staff, as follows:

- Q. Board member Nathan Bush inquired as to why the Petitioner feels that this waiver should be approved?  
  
A. Petitioner stated that the waiver was a requirement in order to divide the property that is under twelve (12) acres to provide lots for individuals that would like to live out in the country.
- Q. Board member Chris Kinnett asked the Remonstrator Steve Stropes what the soil condition was?  
  
A. Red clay with poor drainage.

- Q. Board member Ron West asked the Remonstrator Lance Labonte where the water for his pond and home use comes from?

A. Rainwater and runoff.

- Q. Board member Ron West asked the Remonstrator Lance Labonte if he was on a septic? How close is your septic system to the pond? Do you have concerns about your septic leaching into your pond?

A. Yes, at least 100 feet. Yes it is a concern, but there is currently no leaching.

- Q. Board member Ron West asked the Petitioner how he would address the water issues and make the potential buyer(s) aware?

A. Due to the fact that there is continued water issues in the Union Township area, we drill for water prior to selling a lot and making each potential buyer aware. A building permit cannot be obtained with a water source. If it not a buildable lot, we do not sell the lot.

- Q. Board member Charlie Canary inquired as to whether or not the Petitioners were building residences for themselves on these purposed lots?

A. No.

- Q. Board member Stoney Vann inquired what the mechanism was that allows well that have been dug to not effect other property owners in the area?

A. Petitioner state to the best of his understanding, that each well is independent and does not pull from anyone.

Remonstrator Tracy Mabry (2710 S. 600 W., Morgantown 46160) was present to express his concerns regarding water and septic issues.

Remonstrator Austin Smithey (6982 W. 300 S., Morgantown 46160) was present to express his concerns regarding water issues.

Remonstrator Kyle Vandivier (6643 W. 300 S., Morgantown 46160) was present to express his concerns regarding water issues and the nature of the area.

Remonstrator Steve Stropes (6620 W. 300 S., Morgantown 46160) was present to express his concerns regarding water issues, traffic and nature of the area.

Remonstrator Cheryl Vandivier (6643 W. 300 S., Morgantown 46160) was present to express her concerns regarding water issues, traffic and nature of the area.

Remonstrator Lance Labonte (7008 W. 300 S., Morgantown 46160) was present to express his concerns regarding water issues.

Remonstrator Katie Smithey (6982 W. 300 S., Morgantown 46160) was present to express her concerns regarding water issues.

Remonstrator John Alfred (7016 W. 300 S., Morgantown 46160) was present to express his concerns regarding water and septic issues.

**Motion:** To deny W-12-21 to allow for a three (3) lot Roadside Subdivision where the parent tract is ten (10) acres. **Moved** by Nathan Bush. **Seconded** by Gregg Cantwell. **Yes:** Bush, Canary, Cantwell, Vann and Vercauteren. **No:** Bowman, Ketchum, Kinnett and West. **Motion approved 5-4.**

Board directed staff to prepare negative Findings of Fact for vote at the December 27, 2021 meeting.

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#### **IV. OLD BUSINESS:**

Board members and staff had a discussion on the purposed changes to the ordinances regarding Recreational Vehicles (RVs), Accessory Structure and Non-Permitted Uses.

**Motion:** To make a favorable recommendation to the County Board of Commissioners for changes to the ordinance regarding Recreational Vehicles (RVs), Accessory Structure and Non-Permitted Uses. **Moved** by Pat Vercauteren. **Seconded** by Chris Kinnett. **Yes:** Bush, Canary, Cantwell, Ketchum, Kinnett, Vann, Vercauteren and West. **No:** None. **Motion approved 9-0.**

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#### **V. NEW BUSINESS:**

Board members and staff had a discussion on the purposed 2022 Plan Commission, Hearing Officer and Technical Review Committee Meeting Calendars.

**Motion:** To approve 2022 Plan Commission, Hearing Officer and Technical Review Committee Meeting Calendars. **Moved** by Charlie Canary. **Seconded** by Chad Bowman. **Yes:** Bush, Canary, Cantwell, Ketchum, Kinnett, Vann, Vercauteren and West. **No:** None. **Motion approved 9-0.**

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Board member Pat Vercauteren submitted his letter of resignation to the board.

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## **VI. ADJOURNMENT:**

Chairman Nathan Bush called for a motion to adjourn the meeting at 7:22 PM.

**Motion:** Adjourn the meeting. **Moved** by Gregg Cantwell. **Seconded** by Pat Vercauteren.

**Yes:** Bowman, Bush, Canary, Cantwell, Ketchum, Kinnett, Vann, Vercauteren and West. **No:** None. **Motion approved 9-0.**

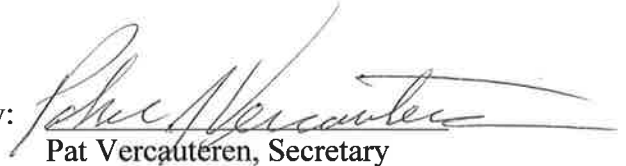
Approved on: December 27, 2021

By:



Nathan Bush, Chairman

Attested By:



Pat Vercauteren, Secretary