

**SHELBYVILLE PLAN COMMISSION
SUMMARIZED MEETING MINUTES
November 27, 2023**

Doug Cassidy called the meeting to order.

Members Present: Jeremy Ruble, Scarlet Tinsely-Price, Winnie Soviar, Doug Cassidy, Joe Lux, Wade Lewis, Gary Nolley, John Kuntz,

Members Absent: Mike Evans, Ben Hall, Joanne Bowen

Staff Present: Adam Rude, Allan Henderson

Approval of Minutes: Gary Nolley motioned to approve the minutes from the previous meeting and Joe Lux seconded the motion. Voice vote passed 8 - 0.

Old Business: None

New Business: *PC 2023 - 12 Extraterritorial Jurisdiction V*

Adam Rude discussed Extraterritorial Jurisdiction, number 5 explaining what it is, what it does mean and what it does not mean for property owners in the area.

- Gary Nolley asked if there was a reason Longwood wasn't included in the ETJ. Adam Rude said there was discussion concerning how far south to go and it was decided to not include that area.
- Jeremy Ruble asked about Twin Lakes and John Kuntz said it's already in the city limits.
- Gary Nolley clarified that there is no planned development in this ETJ, nothing changes with existing uses. The only changes will be due to the owners of the properties making changes. Adam Rude explained the differences between county and city zoning in this area. Jeremy Ruble explained that instead of going to the county within these areas to do something with the property, an owner would now go to the city. Discussion followed.
- Winnie Soviar asked Adam to discuss differences between the city's and the county's comprehensive plans and Adam did. Discussion followed.
- Doug Cassidy asked if the farm land could be built on around Edgewood due to flooding and John Kuntz said there's a small flood plain in that area similar to what's north of Eagle Brook. More discussion followed for that area.

With no further board comment, Doug Cassidy closed board comment and opened it up for public comment, asking that everyone state their name before speaking.

- James Montgomery, Shelby Township Trustee said he was disappointed to find out about this in the newspaper. Doug Cassidy said that the city notified the property owners as required by law but didn't think township trustees were required by law. Mr.

Montgomery asked if a resident wanted to raise goats or chickens if they had to get permission from the city. He also asked about subdividing ground. Mr. Montgomery said he didn't understand why some areas were included in the ETJ and others were not, mentioning the Pherigo property and Hazelwood. Mr. Montgomery asked why the county didn't keep POET and Mr. Cassidy said that was a decision made by elected officials and not this board. He expressed concern about the Thurston property north of 225 that stands in water. Doug assured Mr. Montgomery that Adam and Allan would work on getting answers to his questions.

- Beth Petrow(?) asked if farm ground is sold to another farmer could still be farmed and was told yes. Discussion followed.
- Marilyn Moore(?) asked about sewer and water and Mr. Cassidy reiterated that she was not being annexed. She can keep her well and septic. John Kuntz clarified that when a residential development goes in, the developer puts in the water and sewer. It's then accepted into the city's systems when they're annexed. Currently, there is no plan to run water and sewer down CR 125.
- Robert Monroe(?) said that his wife's doctor suggested she gets goats to keep her moving and asked if this means they won't be able to keep them. She has 5. Planning staff said that if it is legally allowed in the county on their property now, it would be legally nonconforming in the city and allowed.
- Jim Pherigo spoke to the board about development around him. Most of his comments were inaudible.
- Joe Hossom(?) currently lives in Eagle Brook and asked how development of the ground south of Eagle Brook would affect their drainage. Doug Cassidy said that when that ground is developed, the developer will have to address those issues and meet city standards.
- Kenneth Roell(?) wanted to make sure that if he wants to do something on his property, he'd have to come to the city. He blamed the county commissioners for this and said it's bunk.
- Scott Robinson asked "existing agricultural practices". He questioned the 600 feet rule for notification and asked the number of goats allowed on your property. He also questioned who's benefiting from doing this now. He stated he's concerned about the increase in trash in his area. Discussion followed.
- Madelyn Kehrner(?) asked where the line is between Shelby and Addison townships and why no one on her road received a letter about this. Most of her comments were inaudible. Board members did reiterate that the plan commission staff notified everyone they were legally responsible to notify. Discussion followed.
- Walter Austin(?) asked if the rezone passes if he could bring in 100 pigs and the commissioners didn't send letters to residents. Adam discussed the pigs. He said he's never found it to be easier to work with a city versus a county. Gary Nolley explained that Shelbyville has 3 planning people and the Shelby County has 1. More discussion followed.
- Nathan Smith verified that nothing much is changing. He asked if he could ask that a property be annexed and the board said yes if it's contiguous. Mr. Smith questioned

what the purpose of having city and county boundaries if the city can reach into the county to zone.

- Mylan Albright asked why the county doesn't have equal representation on the board. Discussion followed.

Doug Cassidy asked Adam Rude to answer some of the public's questions. John Kuntz pointed out that the city has to assign zoning to these areas since the county gave it to the city. Adam said in regard to the goats/chickens question, anything existing is grandfathered in if it's currently allowed under county zoning. Adam discussed zoning designations and their practical applications. Adam clarified that the city does not own the water company. It's private so we wouldn't be able to extend their services. The city only owns the storm and sanitary sewers. Developers are responsible for putting those utilities in to the city's standards at that time, then they're dedicated to the city for upkeep and maintenance. There are currently properties within the city limits today that are still on water and septic. You're not forced to connect to those services. Since this is not annexation, current tax rates will not be affected. Drainage issues are handled through the development process and must meet city standards. Adam directed anyone who had a question that hadn't been addressed to get with him or Allan Henderson for further discussion.

Wade Lewis motioned to table the petition until the January meeting and Jeremy Ruble seconded the motion. Some discussion followed versus tabling/continuing. It was decided that continue was the correct wording so Mr. Lewis rephrased his motion. Jeremy Ruble reiterated his second. Voice vote: Jeremy Ruble - aye, Scarlet Tinsley-Price - aye, Winnie Soviar - aye, Doug Cassidy - aye, Joe Lux - aye, Wade Lewis - aye, Gary Nolley - aye, John Kuntz - aye. Motion carried 8 - 0.

Miscellaneous: None

Discussion: Adam Rude informed the board about the recent Plat Review Committee meeting. Adam had more comments but they were inaudible.

Adjournment: Scarlet Tinsley-Price motioned to adjourn the meeting and Joe Lux seconded the motion.

Meeting adjourned