

The Madison County Plan Commission on the above date at 9:00 A.M. with Bill Maxwell, President, presiding.

Members Present: Bill Maxwell, Paul Wilson, John Randall, Jr., Brad Newman, Gary Gustin, John Orick, and Wesley Likens.

Members Absent: Mark Gary and John Simmermon.

Also Present: Michael Hershman, Executive Director. Elizabeth Bruns, Office Coordinator, Gerald Shine, Jr., Attorney, and Beverly Guignet, Secretary.

Current Business

The board observed a moment of silence in remembrance of September 11, 2002.

Member Wilson said, I would like to make a comment in reference to our moment of silence. I think that it is appropriate to recognize that tragic day on 9/11, but it's also an opportunity to celebrate the continuation of democracy and because as we begin this meeting today this a good example of how this country has moved on and still is a place where democracy functions, and as we start this meeting today as an example as to how that works.

1. Roll call was taken and two members, Mark Gary and John Simmermon were absent
2. The minutes of the July 10, 2007 meeting were distributed to each member prior to the meeting. Member Randall made a motion to approve the minutes. Member Orick seconded the motion. The vote was unanimous in favor of the motion.

There are no minutes for the August 14, 2007 meeting as it had been cancelled due to no items being presented.

3. Petition #544 of Leo & Mary Casto, landowners and petitioners. Applicant is seeking a waiver for replat of a 1.66-acre lot to a 1.73-acre lot. The property is zoned "CR" and is located on the west side of County Road 50 East between County Road 600 South and County Road 700 South in Adams Township, containing 1.73 acres. This petition was tabled from the July 10th meeting.

Mr. Hershman informed the board this was tabled due to lack of proper notification.

Mr. Hershman said, houses and fields characterize the surrounding area. The site is a house lot.

Staff has received proof of proper notification.

The Ordinance requirement is 2-acres. The applicant is making the request in order trade property with the neighbor to the south and west. Mr. Casto is trading ground from the rear of his property for property along his south property line. This is the first step in the process. If the request were approved, the applicant would then proceed with a replat.

Tom Beeman, Attorney for the petition was present representing this request.

Tom Beeman, 33 W 10th Street, Suite 200, Anderson.

Mr. Beeman said, the purpose of this plat as Mr. Hershman had said is for a land swap. The reason for the waiver is, the lots were established under the prior ordinance and it doesn't have the two acres and it still won't have the two acres. However, in mitigation of that there will be an additional 15 feet of road frontage added to the lots. This will add to the width and not the depth of the property.

Member Randall asked, do we have anything that indicates a signature or approval of the one that they are trading land with? I don't see anything here ---

Mr. Beeman replied, (not audible)

Mr. Hershman said, he wouldn't necessarily need the petitioner (not audible) with the Casto lot. The Casto's lot, which is a nonconforming lot, so it would be more function for the Castos as opposed to the neighbors.

This will be resolved at (not audible) the applicant would definitely have to resolve the replat and this is done internally.

Mr. Beeman said, they would have to sign on the actual plat when it is recorded. So it can't be done without his signature. The neighbor has agreed to this.

There were no remonstrators present.

Member Wilson asked, what is the staff's recommendation on this?

Mr. Hershman said, the staff recommendation was for approval.

Member Orick said, I move that Petition #544 be approved according to staff recommendation.

Member Newman seconded the motion.

The vote was unanimous in favor of the motion. **Petition #544 of Leo & Mary Casto, landowners and petitioners for a waiver for replat of a 1.66-acre lot to a 1.73-acre lot was approved.**

New Business

1 Petition #545 of The Little Village Makers, LLC for Conceptual Development Plan of Simpler Times Village. This property is located on the SW corner of New Columbus Road and 500 South in Adams Township and containing 127 Acres, more or less.

Mr. Hershman said, there is a correction to the staff report. The petitioner is requesting the property be rezoned from CR.

Fields and scattered houses characterize the surrounding area. The site is a field and woods

Staff has received proof of proper notification.

The applicant has met several times with staff regarding the project. The sketch plan has been approved. The applicant has met several times with the Technical Review Committee. The Committee, at its September 4, 2007 hearing, forwarded no recommendation. The reason for the no recommendation was the roads.

The project involves a variety of uses and housing types. The applicant wants to create a traditional village on the site. This includes farming, residences, businesses, cabins, and structures that have both houses and businesses. The applicant is proposing extensive home occupations.

Staff does not have a problem with the overall concept. The idea is unique and has merit. Staff has been working with the applicant and there are a few unresolved issues remaining.

1) The applicant will not be meeting the entire road standards set forth in the County Zoning Regulations. Because of this, the roads will be private.

2) The problems with the public sewer have not been resolved. However, the applicant is meeting with Fall Creek Regional Sewer District on September 10, 2007.

3) Building height-the maximum height as per the Ordinance is 40'. The applicant is proposing 4 ½ habitable stories or 70'. Encroachments into the right-of-way. The Ordinance does not allow for encroachments. However, the applicant wants to allow for limited encroachments.

Member Wilson said, I have a question for council. The experience that I have had in here in reference to the PUD's this is the first time I have encountered a no recommendation from the Tech Review Committee. Because the flow chart in the PUD ordinance in the zoning book, it indicates this board relies on the Technical Review Committee for information concerning any proposal that comes through on a PUD. Can you give me some sort of analyses on how we proceed with a no recommendation or whether that's viable ---?

Mr. Shine said, it is the intent of the ordinance, I believe, that there would be either a recommendation of approval or disapproval as forwarded by the Technical Review Committee. However, the specific reading of Section 9.3 and also Section 12. 3 would indicate that it is, in cases of disagreement, the Planning Director may forward any petition before the Technical Review Committee to the Plan Commission for a determination on the request. If it were disapproved then it would not precede any further. If it was disapproved there could be an appeal of course. If it was approved then it would come before this board.

The intent of our ordinance is, for the interested committee, to make a recommendation. But I do not in the reading of this, that since they forwarded this to us with a non-recommendation that it is in violation of our code. Although we do need to have the written comments of each of the individuals in the Technical Review Committee as to why they recommended for approval, disapproval or for in this case no action.

They are required to get written comments on each of the areas of their expertise regarding the application. Either do that in writing or orally and that is to be forwarded on to the Planning Commission. That's in reading Section --- page 188, Section B-2. They would have some reason as to why they made their determinations. But we can still hear the case today.

Mr. Hershman said, I brought this before you because they could not come to a consensus for a recommendation for approval or recommendation for denial. There basically was no consensus. It basically involved the road issue.

Member Wilson said, councilor, we could if we continued with it today and heard the presentation, heard testimony at the public hearing, would you say oral testimony by members of the Technical Review Committee would be sufficient versus the writing if we continued the meeting and took that testimony (not audible) here?

Mr. Shine said, there are some technical issues that we need to know from each of the members of the Tech Review.

Member Wilson said, as a point of order, this is just for me, I am very much supportive of moving through the process today and listen to testimony, I am not supportive of this board making decisions on a recommendation until we hear from the technical people as per their analysis of the request --- the petition. I think the entire ordinance is --- there are two places in that ordinance that builds up on recommendations from that Technical Review Committee. I don't think just moving forward with no recommendation is adequate for this board to make a decision. So as we begin this I would personally I would not be comfortable with a decision until we hear from them. I would just say as a board member, as we move through this, I personally would not be comfortable with a decision until we hear from them.

Mr. Shine said, it may not be necessary after hearing them today if you have an opinion one way or another. We don't have a report from the Health Department, we don't have a report from the County Surveyor, and we don't have a report from the County Engineer. County Surveyor is present on this board. The County Health Department, that can be taken care of by certain documents that may or may not be presented. Because as you know our requirement is, that we are required to have a public waste disposal. And the third one would be from our county engineer. These are proposed and as you know they want private roads. Now if our county engineer can't make a decision on private roads when our ordinance requires it then you as a board can make that decision one way or another.

Mr. Hershman said, they have been before the Technical Review Committee three times and there was a special hearing called. We tried but we could reach no consensus.

Mr. Shine said, each member is suppose to comment on their area of expertise regarding the application before them. If they do not appear they may submit their comments in writing.

Mr. Hershman said, Crist Blassares is a member of the Tech Committee present today. Also present today who also sit on the Tech Committee are Brad Newman, County Surveyor and myself.

Member Newman said, for the record, for the entire two years that I've set on the Tech Review Committee we never have had a member of the Health Department appear at any of the meetings.

Member Wilson said, I am personally not comfortable in making this large of a decision for the county until we hear from those folks.

In the history of the ordinance and the Technical Review Committee have we ever had a split where we could not get a consensus?

The reply was no.

Member Wilson said, that even unto its self proves the point that we need to hear from those people.

Mr. Hershman said, if you notice you do have in front of you copies of 19 letters, which have been submitted, on this.

Mr. Shine said, for the boards information, the propose of this public hearing then today will be to hear their conceptual plan, make a decision as to approval or disapproval, or approve with conditions. It then will be forwarded to the County Commissioners.

Josh and Sarah Brown, 225 N Main Street, Fortville, IN 46040.

Mr. Brown said, I would like to introduce Brian Wright, Planner and Michael Diameter of Center Corporation are also present with us today.

Mrs. Brown said, this all came about when I visited a house in Geist and saw a painting of a village hanging on the wall. When they came home from work and looked into this painting and they said, I wish I could live in a place like that. I said, I use to live in a place like that. I walked into a castle that looked over a beautiful little village in the mountains of Austria. I walked down from the castle and you walked through an agricultural area with sheep, goats, and horses and from there it was a two-minute walk into the village. I passed through the neighborhood and you would see the grandmothers in the garden with their grandchildren and you would see produce for sell, woodworking for sell just a happy neighborhood with a town square.

This village was built 4 or 500 years ago and there was no room for many cars to fit in there so, they kept that pedestrian oriented community and it was a multi generational community. You have the grandparents living there, being taken care of by the family. I just loved the lifestyle. The shops surrounded a park instead of a parking lot. It's a very family oriented living, shopping, and business type of living situation. With older people who have lost their driving privileges, health, this will enable them to walk into the village do shopping, visit, where things are more convenient for them on their daily activities.

I got to thinking this is America, we have the freedom to live however we wish and we have the freedom to create communities. I have had talks with friends and they said they would like very much to have a community where you could live, visit with neighbors, walk to shops instead of driving here and there and a place to take care of our grandparents.

What makes this village different from a subdivision, in real community you have home based businesses like people use to in time past. A family could work together and have a trade. A real community would have agriculture and nature on the edges. It wouldn't be wall-to-wall vinyl houses. It is clustered where you would have lots of open space so that the children would have lots of room to run and where they can learn about nature and farm animals in harmony. I have been in 4-H and we designed this community so there would be pastures for the kids could have their 4-H projects right there.

The other thing is designed around making it wonderful for walking, not just practical for driving, and uh that's what Simpler Times Village is about is creating a multi-generational community where people can once again

live home centered lives, not needing a car to connect themselves to their daily activities eight or ten times a day. Thank You.

Mr. Brown said, will work from the outside in and describe the features of the village. This is an idea of building a place for people rather than just automobiles. A normal builder would take land like this and just split it up and you would have less lot sizes. What we have done is, make some of the lots smaller in the middle so that you have a lot of open space. You have some forest areas, baseball fields, and park and nature areas. There is an agricultural area where you have pastures where people can do 4-H projects and have different activities out there. There will be community gardens, orchards, there will be a huge walking trail network.

There are many people all over the United States and some from across the sea that are very interested in this community and the life style that it will offer. They are actually contacting us with interest in applying for an application to live in this village.

Now as you come in towards the middle you will come to the larger lots. This will be for the agricultural area. In this area you will come in to what's called Trails Pass. It is somewhat rustic. You will think of log cabin homes. Then as you go towards the middle the architecture the homes will change. Another area will be called Sunny Drive. Sunny Drive is one of your old American style. Your stick front porch, the farmhouse type of look.

Now this up here is the special feature of how we designed this. These homes here, the front porches face the park. The green space. So when you are sitting on the porch you are looking at the green space. The alley way serves the rear of the homes.

This area is called Storyteller Woods. The type of homes there are your old English Tudor homes.

In this area over here it's called Central Park and that's actually Phase one of our development. In Central Park its sort of a mini village. The architecture is Austrian.

Now in the village center is moved toward the center and it becomes more planned, more detailed in its design, with the streets and landscaping. At the village center it is more pedestrian oriented. This is where you could have two to three story homes. The neat part is, that on the first floor is generally a shop. They would be like the small café, pottery shops, stained glass, woodworking and that sort of thing. On the upper floors that could either be apartments, professional offices or condo's. At the village center it will become a delightful place to meet. There will be park benches and it will be a nice place for people to congregate. You will be able to walk from any place in the village to the center and have a really beautiful place to walk.

It will be for all people to visit not just for the people who would live here all year round. People will come to shop at our shops. It will draw people in from all over.

Brian Wright, Planner, 300 Starling Lane, Franklin, TN.

Mr. Wright said, I have taken the vision from Sarah and Josh and turned it into the master plan. We design traditional neighborhoods and villages all over the country. We feel this will be setting standards for communities of the future.

(Not audible) like fire hydrants (not audible) where pumps heat up does provide that.

Member Wilson said, the minimal level for the design of the system would be to adequately supply the 300 or whatever number of structures that are built in to the proposed development. Is that correct?

Mr. Wright replied, yes. (Not audible) the storage tank will be there too. On the master plan it will include the storm water, open space, narrow streets, the narrow roads will keep down speed driving. The streets will accommodate school buses and fire trucks.

Michael Diamente, Design Engineer with Snyder Corp.

Most of what Mr. Diamente talked about is not audible as there was a glitch on the CD.

There will be a lift station on site. Fall Creek Regional Waste is going to issue a final approval. We are meeting with the Drainage Board tomorrow. Storm sewers are planned. There will be no large detention ponds.

Sharon Fuller, 4356 S. New Columbus Road.

Mrs. Fuller said, as our information came to us that this has been in planning for six years, we received notification 10 days prior to the first meeting. Everybody was all aflutter wanting to know what was going on, so most all of our residents that are here tonight or this morning has been there both nights that they had scheduled, and there's a lot of concerns about the water, there's a lot of concerns about, I had one family tell me that they have seen this hoot owl come out every night for years ever since they lived here, right on 500, they're gonna miss those things and they are worried about the roads, there's just so many things they're worried about there that we can't really get a direct answer. One example is annexation to the City of Anderson, nobody wants to be annexed into Anderson, but they say no they don't want to annexed into Anderson either. If the wells go dry the water company man said they would come out and drill a new well, would they put that in writing for the people? You know there's a lot of concerns here that the community just doesn't feel like they have enough information, so my neighbor and I decided that we would take up a petition against The Simpler Times Village and I'd like to present that in favor of everybody that signed this petition. That's all I have to say.

Mr. Hershman says: I have one question maam, could you put your name and address on the paper?

Member Maxwell said, maam, you made a comment about the roads, are you talking about the county roads.

Mrs. Fuller replied, well I'm talking about 500 and South New Columbus Avenue, I mean heavy equipment will be going up and down that road.

Member Wilson said, Sharon I got a couple of questions. What is the number of signatures on your petition?

Mrs. Fuller said, there was 107 and that's only on Columbus, Sprague St. and 500, we did not go to other areas of Adams Township for them.

Member Wilson said, and you and your family lived in the neighborhood how long?

Mrs. Fuller replied, 37 years.

Member Wilson said, okay, specifically your concerns are water, roads and you don't want to be annexed into the City of Anderson.

Mrs. Fuller said, right, and the forest, the people that live right on 500, they are so upset with that forest being gone, I mean they've lived there for years, probably longer than I've lived at my place and they look forward to that owl coming out every night.

Member Wilson replied. okay

Mrs. Fuller said, so it's a matter of what each person wants.

Judy Renbarger, 2891 W 850S, Pendleton, IN.

Mrs. Renbarger said, I attended the meetings on two accounts. In near future I won't have to relocate and because of my age I'm going to have to downsize.

I am concerned with the wells, disturbing the natural habit in the area for wildlife, impact on the school system, don't want this area annexed and the impact on the roads. I am not against this or for it but I do have questions that I would like answered before I make a decision as I do have an open mind.

Patrick Manship, 1054 E 600S.

Mr. Manship said, I do have some concerns. My arms are open to welcome this, as I do like the concept. I would love to see this go in. You do have professional up that will make sure to the best of their ability to make it work out.

Traffic will be a problem down there no matter what goes in. Hopefully that will be taken in to consideration. I think this is a great idea and a great concept.

Harold Gardner, 1387 E 500S.

Mr. Gardner said, I have talked to Mr. Brown several weeks ago. I do like the concept. The main concerns that I have are, how can the word simpler apply to 315 small businesses for a small village. It's impossible to have something simple with so many people. The road system. Money, will we have a derelict situation down the road five or six years from now if this is approved? It takes lots and lots of money to complete a project like this. Four or five years from now will there be unfinished work? Although we believe in freedom of religion people in this area are concerned it could be a situation like the Branch Davidians.

Candace Null, 8527 Springway Drive, Indianapolis, IN

Mrs. Null said, I am to speak for my husband Doctor Scott Null and myself. We are excited about moving to the village one day. Simpler Time Village will be very homey. It will be a safer place to live. A lot of the

parents will be home schooling their kids. We hope to live in part of the forest area that they have talked about. In walking the street it will be like a Brown County sitting.

Don Clark, 893 W 500S, Anderson, IN.

Mr. Clark said, I live about a mile and a half from this location. I am not opposed to this project but the only true concern that I have about this is, your very own staff people can't come up with a consensus of what ought to be done here. If you can't come up with a consensus then what are we missing out of all this that is not being said here. I will be more comfortable if your people come back with either an affirmative or denial on this.

Doug Allison, 350 E 500S.

Mr. Allison said, we live directly across the street from this property. The property in question is all ready zoned Conservation Residential. This means it's all ready zoned for a subdivision to be developed by anybody. And any subdivision on this land of 127 acres would bring the issue of water, sewage traffic, devalue property valuation, the animals, etc.

The only twist of the Simpler Time zoning is, the animals and the square footage on the property. I submit to you for thought that the only difference with the animals and the commercial square footage (not audible) one of the negative issues is larger traffic. The parking, there is only 150 parking spaces on the property, this will keep the traffic down to a minimum. I travel up and down I-69 everyday and I see these ugly subdivisions that are quickly being put up everyday. They all look the same. This would mean less car trips.

Now, Simpler Time Village will offer, finely built homes, festivals and culture, maintenance of their own roads. They are planning on saving a lot of the trees and will preserve the wildlife.

This will bring worldwide attention to Madison County. This is unique one time opportunity. The developers are not a big corporation. They are people like you and I and this is a life long dream of theirs. They have relied on extremely competent people to help. This will be done right. They are all ready being good neighbors. This property will be developed at some point in time. The only questions is, do we want junkie vinyl sided subdivision, airport or an ethanol plant, farming wiping out all the trees, its going to be developed and this is a gift dropped in our laps.

Raymond Goodson, 4425 S new Columbus Road, Anderson, IN.

Mr. Goodson said, I live about a quarter of a mile from this proposed development. Indianapolis is pushing their problems on us. They say they don't want to make money on this but they stand to make millions. They say the families that move here will have a chance to open businesses. They will have a chance to have a community garden or a farm. That's ground for conflict. Where are they going to get all this ground to farm? There's 128 acres across the road, are they going to buy it?

They are going to have to drill a well for those 350 people and there probably will be more people than that. And they mentioned walking paths to Alliance Crossing. There are people in Alliance Crossing that don't want them there to begin with. Is that going to affect people in Baby Farms?

They are talking about having a new church there and they are talking about having businesses there, it's not paved for this. Somebody is going to have to pay more money for the sewer.

Is that going to bring more development in that area? That's going to cause problems on the roads. What about pollution to the creek. They've said they have talked to the police, South Madison School Board, and they said they are all for this. I'm sure they are. That's more money in taxes to cover all this. There is going to be a massive increase in traffic. The wells are going to go dry. I don't want this to go in.

Crist Blassares, 16 River Forest, River Forest.

Mr. Blassares said, I am one of the members of the Tech Review Committee. I was one of the members to who voted to move this proposal forward to this board today with no recommendation. Josh and Sarah and different consultants appeared before us three different times. My job is, I look at soil and erosion control. There were two areas on all their acreage site that I had a concern with. One of them was where the nature trail was going to go through a very steep session where there is a lot of elevation change. They are not wanting to develop that particular portion of the property. The second area is where there is a large spring that flows to the surface. That also was not going to be developed.

The Technical Review Committee had to make some type of decision. Personally myself, from their soil and erosion control practice that they have presented, that has been engineered, this is the best plan I have ever seen. The reason I say that is because they are doing some very novel things that you don't see in vinyl heaven. The soil and erosion that they have presented would actually make Madison County a point of destination for people to want to come and take a look at this.

The reason I agreed to recommend that this be forwarded with a no recommendation versus an approval or a denial but it had been parked in front of us three different times. That's the reason at least for my vote for voting no. It wasn't a denial. I voted no recommendation to get it out of our committee so other people could hear it.

The second hat I wear is, I am one of the Rule 5 Inspections for Madison County. There are two of us. We have a memorandum of understanding with Madison County, the city of Anderson, and all municipalities of Madison County.

Rule 5 inspections are, if more than one acre of soil is disturbed you have to put forth and erosion control plan that keeps the soil on site, you're not tracking dirt on to the roads, and if you have water bodies, wells, springs, you have to protect the water sources that are on the property. If more than one acre is disturbed we have to go out an inspect it. The planning that has gone forth before they came to our board was very apparent.

Keep your minds open. Help make Madison County a point of destination. Let other people want to come here. This is a good thing.

Member Randall said, a thought came up earlier that we might have to go to each of the members of the Tech Review Committee and get their opinion concerning their own area of expertise. Now, do I understand you to say that as far as your area of expertise that this a positive and a good thing?

Mr. Brassards replied, absolutely. They have done their homework.

Janet Brown, 617 N Swope Street, Greenfield, IN 46140

Mrs. Brown said, I am Josh Brown's mother. I like the rural area. This is a wonderful concept. I would love to spend time with my grandkids and be able to just walk down the road and see them instead of getting in my car and driving somewhere to see them. Josh and Sarah have a heart and a vision for their property. It is not about money or anything else. The idea that is being conveyed is, this is about people. I am really confident that the county and the people surrounding the village will work out any concerns. They will work through those fears and concerns.

Nelda Carmack, 386 E 500S.

Mrs. Carmack said, the Snyder Company talked about draining the water down 500. I live right on the corner of Sprague and 500. I am really going to be affected by this. When they put in Alliance Crossing, they ran a drainage across 500 to the back of --- at the end of my lot its like a little valley and there was (not audible) modular home in there and fixed it up. When Mr. Stottlemyer ran this water underground to this area and across to drain down to Fall Creek (not audible) --- and my neighbor next to me, to the left, when it rains, their land is flooded completely. It has gotten worse since Stottlemyer put in the drainage for Alliance Crossing. Now these people are going to come un and they are going to run water down Alliance Road, probably down to this same crossing, back behind my acre of ground and these people that have the modular home, the water flows across the road, not under because he could never get the county to come down to replace the underground tile. I think anybody that lives out there knows this. It is even going to get worse.

Don't think you will be moving out there because crime won't happen because my home has been broken in to several times. It happens everywhere. Then about all these homes. They are going to build 300 some homes on 70 acres --- I just don't see the concept. From the pictures that I have seen the homes are going to be close together. My son lives in a vinyl home in a very nice addition. I am not for this at all.

Mr. Shine said, for everybody's information a detailed drainage plan has not been prepared and it does not come (not audible) to be prepared until after this board would make a recommendation if they would to the County Commissioners. The County Commissioners would then hold a public hearing and they would have to approve it. Then after that, if that would occur, then detailed plans would have to be prepared and would go through the same procedures again. They would be public meetings on the detailed plans. The hearing today is on the conceptual plan and on the rezoning of the petition that has a recommendation to the County Commissioners.

Mike Harris, 4797 S New Columbus Road, Baby Farms.

Mr. Harris said, I have been there for approximately ten years. We like our neighborhood the way it is. I don't understand why it has to be developed. There is a lot of wildlife in the area that would be disturbed. I am also concerned with the drainage as it does flood. I am opposed to this going in.

James O'Banion, 412 W 500S.

Mr. O'Banion said, they are presenting this like a Disneyland. Everything is going to be okay and everything is going to be fine. I can't see that. You don't know what kind of people that will move there. Are they going to screen these people? They talk about the narrow streets. Who is going to take care of the fire equipment? Everything is close together isn't that a fire hazard? The county street is narrow. I didn't see anything in that plan about any kind of parking area.

Jody Townsend, 769 E 500S.

Mrs. Townsend said, I have lived in Madison County for 15 years now and in my current home for two years. I do have a vinyl sided house and I am very comfortable living in it. It's easy to maintain. What are 200 homes and businesses going to do to our area? How is this going to impact the homes in the area, the roads, the schools, drainage, etc? If they widen the road in front of my house they will be taking a large part of my front yard. There is a dangerous curve there. Are you going to have to put in traffic lights? They are already advertising this for sale on the web. Do they have money in escrow for this? I don't want this to go in an effect the people who have lived there for years. I want to make sure there are going to be guidelines they have to follow. I just don't want to see this going in.

Ward Townsend, 769 E 500S.

Mr. Townsend said, I came before the board before for a setback relief. When I came before the board most of the homes along the street are 30 to 35 feet off of the road. If they put in 60 businesses and you have 30 cars come to the business your not going to make it. You multiply that by 60 by 30 that's 1800 more cars down 500S and Columbus Ave. Add that to residential traffic and what are you running in to? That's just going to be more traffic than that road system can handle. Are turn lanes going to be put in? We are also worried about the wells in the area. They will not put anything in writing about the wells. We do not want this to go in. We are very much opposed. What are they not telling you? Go to their web site and see what they are saying.

Betty Shulte, 4829 S New Columbus Road.

Mrs. Shulte said, I also own a home in Baby Farms. They said these are going to be hundred of thousands of dollar homes. Is grandma going to be able to afford these? They said two days a week they are closing the village to have (not audible) and that their people --- they have over 400 applications from Internet people. Not local people. These people think, I want to live in that fantasy, well what about the 400 people who live out of state? We can't even (not audible) --- Anderson, it's about dead. Nobody comes down here to shop. Now we are going to have competition with this little home thing, businesses --- can Baby Farms do that so they can have businesses in their homes? I am opposed to this going in.

Matt Lintner, 4811 S New Columbus Road.

Mr. Lintner said, I live on the curve next to 500S. My main concerns are the roadways. I am concerned that in the future what this will do. I am opposed to this. They want to simplify but they are taking that away from us.

Faith Burmeister, Secretary of the Adams Township Advisory Board, 4942 S 100E.

Mrs. Burmeister said, since being on the board for nine years one of our biggest areas of work is with the Adams Township Fire Department and since that issue did come up I thought I should address it. They are less

than five miles from our fire station. They have consulted with Greg Fuller on the fire issue. In nine years the fire department has been upgraded. We have enough equipment in good shape to service our township. We would have enough equipment to service this community up to about 80 buildings. Then after that we are not adequate. One major concern was that some of these buildings are going 30 feet tall and we do not have a ladder truck. That is something we could have to consider.

They met with our Fire Chief, Greg (not audible) and he gave a letter, he gave written concerns about the roads, and the alleys in the development and he has it in writing. Now that issue is not a threat, it is a problem with this development. We will have it in writing that we addressed these issues and they need to be looked at because we don't want problems with any kind of ambulance or fire service to this development in the future.

It was the consensus of the board to take a five to ten minute break (11:21:12 A.M.).

The board was called back to order (11:32:40 A.M.).

Greg Valentine, 5297 S 800W, Lapel.

Mr. Valentine said, I am here representing Fall Creek Regional Waste. We have met with these people on three occasions and they have worked out a lot of the details. They realize there is an eight-inch force main along the county road that could be pulled. We may have to put another one below, beside it, around it, don't know. They realize they would have to pay for that up front. Taps fees, they are aware of that. We worked out a lot of details and they realize we still have some to work out. We do have the capacity and it wouldn't cost anyone on that line or any where between there and our plant on 650W, it won't cost them any fees, they will fund this.

Member Wilson said, if you have the capacity that was mentioned by the engineering company in reference to the possibility of a lift station out there because it's a gravity feed system, and you think there is a possibility of an additional line besides the one that goes to the existing main out there?

Mr. Valentine said, we don't know, we think that eight-inch there is pretty well full now and we don't (not audible) on top of it. Which means more punching, lifting, more infrastructure, which I understand they are willing to pay for that. Any additional infrastructure that goes in that we accept capacity from the --- the developer pays 100 percent on that not the people in the waste district.

Unknown: We will be responsible for that in the system. The municipality will claim the collection system inside the subdivision, pipe and manholes as well as the lift station within the development. As well as the new force main running down road 500. They will own everything financed inside the development. The Regional Waste District will own, be responsible for maintaining it, and we will pay for putting it in the first place. We will be responsible for the dedicated utility right of way that goes to the Regional Waste District concerning the piping in the addition. There will be easements on the plat. We talked about that with the consultants.

Mr. Shine said, at this point, if it would be approved by this board and sent on they would have to make the guarantee that Fall Creek Regional Waste would be the service provider. And that they would provide whatever easements or right of ways we need for maintenance for repair. Where and how this is all done will not come until a detail plan that will be submitted at a later date. At this time we need to get the guarantees and the stipulations. Number one, if they don't get Fall Creek Regional Waste approval both inside and outside of

the development then the plan would not go any further. The same with water as they have proposed to us in general with rights of way and easements.

Mr. Wright said, we know this is very emotional and understand the neighbors concerns. Some of their concerns have been refuted by experts. One of the concerns we heard about is the schools. We have been in conversations with the school board and the Superintendent. The roads, I don't think it's so much the roads inside the development but on the county road. Roads are always a concern. A lot of the people moving in are professionals that would like to work from their homes and not have to commute to a big city far away.

The way we have designed these communities and what they are asking for in their home based business is, if you want them you can have them. They will meet the rules and regulations. All of their concerns are regulated by governmental agencies. The PUD is set up to allow creative ideas. We can't impact the safety, health and welfare of the community. We will speak to fire department and get something in writing from them. The wildlife, habit, will not be affected.

Mr. Brown said, we have done everything we can to avoid annexation. We don't want to be annexed because we are going to be living there. I want to be in the county. We have talked to the city because we wanted to know about the water. We have choice to go with the more expensive plan for the water because we did not want to be annexed in to the city. This is a rural setting.

Mr. Wright said, we have received 18 positive letters and one negative letter. This will not become a derelict project. They have to provide evidence that they are capable of handling this project. Phase one is a very small number of units. Each phase will be done separately. It's not only the people here in the states but all over the world.

This will not be a cult situation which people are concerned about. This will be open to all people. Concerning the animals. That will only take place where they are provided for. There are lots set up for the animals. These will not be large working farms. There are areas where people who don't want to farm but want the rural feel.

Every lot has room for parking. There are a few parking lots on site and then there is also the possibility of off street parking.

They are not in this for the money. This is the quality of life they would like and would like other to enjoy.

Out of the 127 acres, 50 acres will be open space. The pathways will not project on to other properties but if the people would like that we could accommodate them.

We are going to offer the range of housing sizes, prices of the home will vary. There will be big house and small cottages.

The setbacks will vary through out the community. The utilities, all of that stuff will be --- like every other developer in any other place we will have to meet all the rules and regulations. We can't impact the flood zone. They still have to go before the Drainage Board. The Brown's are one of the few developers that wants the input from the public so they can speak with them and help elevate any of their concerns. The bottom line is we have to meet all the rules and regulations of the county.

Member Wilson asked, number of acres in development is?

Mr. Brown replied, 127 acres.

Member Wilson asked, number of phases in the development is?

Mr. Brown replied, five.

Member Wilson asked, timeline for the phases is what?

Mr. Brown replied, three to seven years.

Member Wilson said, it could be out as early as three years. You don't anticipate any longer than seven years.

Mr. Brown replied, correct.

Member Wilson said, the seven-year build out time is based on what you need for your investment in reference to the infrastructure. Is that correct?

Mr. Brown replied, correct.

Member Wilson asked, in the first phase the number of homes?

Mr. Brown replied, phase one, 56.

Member Wilson asked, number of businesses?

Mr. Brown replied, there is no specific business only lots in phase one.

Member Wilson said, so the first phase that you are coming in with is strictly residential, is that correct?

Mr. Brown replied, there is mixed use. I would say of the 56 we are estimating ten are what I would say light mixed use.

Member Wilson said, describe what mixed use means then so we understand what you are talking about.

Mr. Wright said, mixed use means that it has the possibility of being commercial from the market driven perspective but they are not designed to be --- it's dictated by the footprint in what you can do in there. So you are not going to get large stores. The first phase is smaller lots that are in the village center. That is not in phase one. That's the most urban area of the project.

Member Wilson said, so if I buy a house in there that I have the understanding if I buy a house that maybe the guy that builds next door to me may put a business in there verses a house.

Mr. Brown said, yes a sign would be put out front that says, I am selling ---working stuff. At phase one --- the map shows what is allowed in each T zone. Because it says home business that does not mean that you can

bring up anything that you want to sell there are specific approved uses that we have spelled out. These will not be free standing buildings with just businesses.

Member Wilson said, well I ask the question just simply because I'm trying to get a sense of population in there, and when it varies that you put you know your house and there but you have your business and maybe you live above the house and maybe put an additional structure at the back and a possibility of people living in that. So, the question then is what are we really looking at here, you were talking about for the number of lots, business and residential. You're looking at 300 and what was it.

Mr. Brown said, 316 Lots.

Member Wilson said, 316 lots in there, okay then what is the population on the 316 lots that you're looking at?

Mr. Brown said, yeah, I'd say the mixed use for instance that may be more of your, I suppose 58 of those, is that right, something like that? Fifty some of those lots are the mixed use and those might have more families per lot, so you may be lets say, what's an average, what is an average of that as far as mixed lots.

Mrs. Brown: says 2-3 families.

Member Wilson said, well, this clearly bears on traffic, it bears on water consumption, it bears on sewer discharge, it bears on a lot of things so, if you don't have that number for us right now can you get us the number, some kind of estimate, and then to go along with that to me would be to demonstrate how your regulations at some point you know at least. When you go into build a normal residential subdivision you have x number of lots in a subdivision and the lots are a certain size you can come to a fairly close guest mate about how many people are going to be in there, now obviously is not exact because some families have 4 people and some have 6 and some have 1, but you can come up with a general idea. Because this is mixed use to the point that it is how do you arrive at that?

Mr. Wright said, I think that what we would say is that's the range.

Member Wilson said, I see in your literature here that some residence have availability for one car. And some have the availability for three, as far as parking is concerned. If family a's in there and family b's in and they have four kids and three of them are teenagers and they decided they wanted to buy three cars, where are you going to put these vehicles.

Mr. Wright said, in conversations with people who are planning to move here, a lot of them (not audible) and some of them actually want to relive themselves of having to many cars. So, one of the things that we have looked at doing is car sharing.

Member Wilson asked, in your phases do you intend to come in with a detailed development plan incorporating all five phases or do you intend to come in each phase with a detailed development plan?

Mr. Wright replied, at this point each phase.

Member Wilson said, do you understand that each time you comeback in you go thought the same government regulations that you do on --- each time.

Mr. Wright replied, correct. With a project like this we don't think we could get it all done at once.

Mr. Hershman said, for a lack of a better word this is going to have a tourist element to this as well. So you are going to have people coming in to this community from the outside, that will also have an additional impact on traffic, the parking use, sewer and water. So it's not just people living in there.

Mr. Wright said, there us no guarantee (not audible) ---

Member Wilson said, yes but it's clearly in you ligature over and over again.

Mr. Brown said, we are creating a place that is clearly unique and we anticipated that would be the case.

Member Wilson said, the estimated value of you development?

Mr. Brown replied, seventy million.

Member Wilson asked, do you have the estimated cost of your infrastructure for your development?

Mr. Brown replied, ten million.

Member Wilson said, and the time that you would implement phase one of your development, your basic infrastructure, that deals with the water processing and the sewer capacity movement would be in place?

Mr. Brown replied, yes. We are talking to each utility company individually about the plans and that's one of the details that we are working on about the method and how that goes. The answer is yes. Those things will all be taken care of and in place. We are guarantying of course that before we get started --- obviously it will be completed (not audible).

Member Wilson asked, do you anticipate applying for any TIF District financing?

Mr. Brown replied, no we don't.

Mr. Wilson asked, to you anticipate applying for any abatement?

Mr. Brown replied, no we don't.

Member Wilson said, on Co. Rd. 500S in your Story Teller Woods part of your --- which would part of your phase --- so of your five phases your not sure at this point whether it's going to be one, two, three, four in order as they are laid out here or are you going to change it?

Mr. Brown replied, the order that we laid out is what we anticipate at this point but I think it would be wise that we would say, that if we get to a certain point and we have a large demand for a certain area that we would then precede with that area.

Member Wilson said, it says that Story Teller Woods portion of Simpler Times Village will have detached garages that are directly off 500E, off of 500S, a collectors street, these highways will be required to have space for cars to turn around and pull forward on to east 500S, so your talking about having multiple driveway access on to 500S?

Mr. Brown replied, yes and we would propose also that we could share a driveway between two lots ---

Member Wilson said, and then the view from 500S would of the garages and not the structures?

Mr. Brown said, no, well it could even be trees. That's our goal but that is to still maintain trees and that the structures will be set back.

Member Wilson asked, and the number of lots that you would lay out in that section would be approximately how many?

Mr. Brown replied, the garages are typically setback and ----

Member Wilson said, I am not focusing on the garages I am focusing on the driveways right at this minute.

Mr. Brown said, fourteen. If they are shared driveways then it will be seven.

Member Wilson said, you indicated in your literature that you intend for the roads to be private.

Mr. Brown replied, yes.

Member Wilson asked, what is your definition of a private road?

Mr. Brown said, our definition is, --- let me step back one step and say that we don't necessarily care if they are private or public, but then in going thru the process, initially we were told that they would have to be private, so we were going thru that step.

Member Wilson asked: Who told you that?

Mr. Brown replied, Mr. Hershman

Member Wilson: Okay

Mr. Brown said, in our sketch plan document that came back with uh, from the Planning Commission Department said that the roads must be private.

Member Wilson said, okay continue.

Mr. Brown said, so our impression of that is that we maintain upkeep, snow plowing, all maintenance that the county would not be responsible for that. Any repaving and upkeep would be maintained and the key here the concern here is that the county would be, oh what if someday that the residents that don't move out were dead and you know and 50 years from now decide oh, county why aren't you doing this? Our response to that today and what we can do to protect against that it is not only within our covenants and restrictions, but also it will be

that will be written on the deed that actually goes with the copies, that is actually written so that every deed shows that if you buy these properties you guys will never be responsible for maintaining the roads. That's what we mean by private roads.

Member Wilson said, but anticipate having in your platted sections, phases, that you do dedicate the road right of way to the county.

Mr. Brown said, we would anticipate that we have utility easements --- I am aware (not audible).

Mr. Wright said, I think what we are actually talking about is having proposed taxes easement through those areas and not county right of way dedicated as far ---

Member Wilson said, so you would have the ability to make this a gated community if you chose to do so this way.

Mr. Wright said, (not audible)

Member Wilson said, the possibility is, to make it a gated community is that correct?

Mr. Wright said, it's the opposite of what we are trying to do ---

Member Wilson said, and then you don't want to make it a gated community? So then in terms as far as --- the roads are either public or private. You anticipate them being which? Public or private?

Mr. Brown said, we anticipate them being private roads.

Member Wilson asked, and if it's a private road and there's no road right of way dedication to the county then do anticipate any law enforcement ability in the neighborhood when it comes to traffic?

Mr. Brown said, we have met with Sheriff Richardson and we see no problem with any emergency access of any kind.

Member Wilson said, that's not what I asked.

Mr. Brown said, yeah, I mean (not audible) private roads ---

Member Wilson said, if it's a private road do you have an expectation of public law enforcement doing any work on your private road?

Mr. Brown said, we will ask for them to do that. So, the answer is yes.

Member Wilson said, if it's a private road the county does not have the legal authority to establish traffic law on a private road. Is that correct?

Mr. Shine said, the county does not but the state does as far as what a speed limit will be. There is no requirement for the county to go out and enforce it where there are only private roads.

Mr. Brown said, our intent is that we would build these streets as we proposed them. There is a reason behind this as far slowing traffic --- safety --- the idea of building something --- as far as whether they are public or private, we really don't have a preference, really. Our preference that our streets would be as we propose them and so we see the best way for that to happen for them to be private streets and that we would maintain them. And saying that we would allow it but we are not asking for it.

Member Wilson said, so what has happened here is, because you are proposing some what, not the norm set upon you streets that rather than get in to something that may cause you a problem or not fit your design you would rather move it to a private road versus have the argument that's it's a public road but it doesn't meet current public standards. Is that correct?

Mr. Brown said, yes, with modification, yes that we have entered discussion many time over the roads and in fact with conversation with Chuck Leser --- (not audible) and he did the motion for no recommendation, and when I spoke with him before that meeting he said my reasoning for what I am doing is not because not that I don't like the project it is simply because my job the county engineer is to look at the ordinance and if it doesn't match then I can't make a decision on it. We have been going back and forth a lot and have found that that didn't seem like that was going to be possible to move forward with our road section as public roads. We would be forced to maintain county roads sections. And we are unable to do that because of the character (not audible) So that's why we said okay then private roads, lets do that because Mr. Leser spoke and he said if they are private roads --- his words were he didn't care if they were private roads or not.

Member Wilson said, it would take a very wide variance though to a normal way of doing business here because the current zoning does not allow any more than three structures on a private road. Three, that's all.

Mr. Wright said, our preference is, whatever is going to get us these streets for walk ability. From a developers perspective it behooves them for it to be a public street. But then it's less cost on their part. They really don't care as long as the streets are safe.

Member Wilson said, if you totally make that a private road then do you anticipate and the neighborhood association, then they will be 100 percent responsible for upkeep, resurfacing, and subsurface draining all that.

Mr. Wright said, all throughout the country it's typical to have a road (not audible)

Member Wilson said, I am leaving a few questions out here that I had on simply because when I ask them I want the technical people here. I am talking the county engineer, and I have been assured that the fire chief will come to the next meeting and those kinds of things because there are questions that I have that were raised even within the fire chief's memorandum of understanding that you presented to us. When he gets in to details all thoroughfares shall be capable of handling emergency apparatus weighing up to 80,000 pounds. In any weather condition then I have questions in reference to the particulars street, the width of the street, the surface of the street and are you talking about being able to go down the street to surface but counting aside access along the street that may be gravel for drainage purposes that would allow the truck to go down. Those are detail questions that we need to ask when they are available.

Where do you intend to outlet the water?

Mr. Diamente said, there are two primary points. There are a number of different fingers that eventually discharge so our watershed is kind of broken up. Kind of right down the middle, this water from this point runs through the creek and everything from this side heads back down to Fall Creek Watershed. The flood plain is just off the site to our southern boundary to Fall Creek. So again, two watersheds --- one to the east and one to the south, two primary discharge points will be then to keep those watersheds intact.

Member Wilson said, just one more question because this --- a lot of this is Drainage Board business. Obviously your outlets on Sugar Fork are within your development on ground that you would own if you bought it. Have you acquired easements for the southern discharge to Fall Creek?

Mr. Diamente said, we are not any where near this point in time.

Member Wilson said, when you are talking about multiple use according to the agricultural part of this, traditionally what's happened is, is in residential areas where they have had agriculture sooner or later you get in to a problem with the disposal of the waste from the animals. How is it in your scenario that you can tell us that's not a problem?

Mr. Brown said, what we are doing here is high concentration agriculture. Our intent and in fact what today's people have said, we are talking lot concentration. We are not talking to have a yard this big and have ten goats on it. There are appropriate limits that we are sitting that are reasonable limits that in the end if there are to many animals you will have to clean up. The waste from the proper number of animals will naturally go in to the ground.

Member Wilson said, so you intend to regulate that within your covenants?

Mr. Brown replied, yes.

Member Wilson said, all right, so then you intend to regulate that by the size of the lot?

Mr. Brown replied, uh yes.

Member Wilson said, and then by the type of the animal?

Mr. Brown replied, yes.

Member Wilson said, so if you had lot 1 that was a half-acre, you would say okay we allow 8 goats, and we allow 3 cats steers, or we allow 18 rabbits or that kind of business.

Mr. Brown replied, right.

Member Wilson asked, there's a formula that you intend to apply on that?

Mr. Brown replied, that's correct.

Member Wilson said, all right.

Mrs. Brown said, and we'd be happy to work with Purdue Extension to determine those formulas, we haven't started talks, but I know when we were considering Hancock County, the Purdue Extension Agent sat down with us and helped us determine statistics like that to uh, to uh put them in the covenants.

Member Wilson states, if you take time to read thru the County Zoning Law, we've already got that formula built in to the current law, so it does currently exist. I don't know whether that will meet what your idea is but we do have a formula already built in the County Zoning. Can you tell me what Dark Sky standards are for storm drainage, what that is?

Mr. Wright said, Dark Sky standards is for lighting. The idea is that in the rural area, right now a lot of people enjoy looking at the stars without all the light pollution from the city, so the idea is that lighting manufactures have caught on to that, that people find that desirable and they make fixtures that are certified dark sky which means they only allow this many lumens upwards and everything else comes downwards and so as to preserve the night sky.

Mr. Wilson said, so your intent is to still force downward lighting on your public streets?

Mr. Brown said, right.

Mr. Wilson said, okay, public, private whatever you call it. I'm working on public safety here so I want to know whether folks walking around your neighborhoods are gonna have enough light at night so they don't have a problem.

Mr. Wright said, the other thing in question which is really interesting is picked up from tradition is that when you have the closer setbacks to the streets the porch lights actually provide an additional amount in addition to the street lights, which tend to be the most useful and most pleasant.

Member Wilson said, in your packet of information on your storm water distribution you show some big tanks that capture rainwater run off, do you anticipate those for every structure that's built in this development?

Mr. Brown said, no necessarily one that large. And not necessarily every one. We are at preliminary decision on it as to exactly related to the drainage, which we will present tomorrow. There are a number of choices that we can deal with that water on it (not audible). That is one choice for rain barrel --- because at that point it is elevated and that we can use a water (not audible). There are other methods we could use. It is our intent to give --- at this point conceptually providing people with choices. They may not be that large and there are a number of different ways so this is just one picture that we have.

Member Wilson said, it has always been that practice here, at least since I've been here, that when you have a development that comes in, that when ever there is a discharge that the guarantee that those down stream that that discharge will not be at any larger rate than they are currently coming up with, unless there is improvement in the drain and generally if there is an improvement on the drain it will fall on the developer to make those improvements. So, there is nonnegative impact to those who are in the watershed or below where the development is.

Having said that I am still trying to figure out if you have a normal development and you have normal street drains are so wide and x number of buildings so big that are allowed, you have all these components that are

fairly standard to make your calculations on your own. When I read your book here you have a range of things that you are going to use to incorporate the retention or the slowing of the water to come off the development. To be fair to those live down stream, I am a bit confused, if you don't require every structure to have a tank with a certain amount gallon age or a tank that is a certain size in comparison with the structure its self, how can you make a guarantee to the people who live down stream that you are in the end, they are not going to have any more water coming their way than what's coming their way right now.

Mr. Diamente said, one of things we are going to be discussing you and the board, is there is a good guarantee because we can't confirm or deny line what a home owner (not audible) therefore the collection system at the on site detention is going to be comprised to handle and accommodate the requirements as you said must meet the current discharge rates. So this is really an opportunity to (not audible) program for individual homeowners. It is not going to be an opportunity to really throw all these in to the calculation. That system will be broken up instead of one big pond it may be ten different smaller pockets of which water is going to ---

Member Wilson said, but in the end you are going to be able to tell the county ---

(Not audible)

Member Randall said, previous street surfaces so that rain water and so on would go down through, now that's part of the drainage system too? So there is not a run off from the street.

Mr. Diamente said, correct. We are fortunate here that his property has a lot of sandy soil conditions (not audible) and therefore we are going to be looking at an alternative for infiltration.

Member Wilson said, in the book there is part in there, and I believe you were looking at some structures that were going to be 70 foot high.

Mr. Diamente said, we typically don't (not audible)

Mr. Wright said, let me tell you how we came up with that number. We were really interested in four stories and obviously you can get more than four stories in 70 feet. The reason we went with 70 is that we were through our comprise and working with the fire chief we actually provided for 100 foot ladder truck in streets. So as result we have in the middle the bell tower is taller than the rest of the structures and so we would be happy to limit to a number of stores and we were asked to give a number of feet so ---

Member Wilson said, the whole point is, if you don't have a ladder truck that can reach up to pull a person off the fourth floor you are not going to save them if it's burning below them. So the question is, if you four floor structure in there, I opened up your book in your presentation and went to the fire part of your book, on the page in your book you had a photograph of an Adams Township Fire Department patch. But then I looked to the left and you've got a photograph of the Number 8 Fire Station in Anderson, and the ladder truck at the Number 8 Fire Station in Anderson, and you just said you didn't want to be annexed by the city of Anderson. Well that's a bit confusing to me when you push Anderson' ladder truck and your asking for approvals on structure that you need a ladder truck even though the department that you are going to get services from does not have a ladder truck. How do you explain that?

Mr. Josh said, in our conversation with the fire chief he said, I would like for you to make your road accessible for a 100-foot ladder truck. And here is the truck (not audible) so therefore we were required to accommodate a ladder truck that does not exist. This is a truck that the fire department is looking for.

Member Wilson said, are you going to put those structures in there prior to the time Adams Township has the availability of buying a very expensive piece of equipment. Because at the point that you put the structure up the people that are living in it are going to expect help when they need it and they are going to expect and adequate piece of equipment to show up.

Mr. Wright said, we would be happy to amend to say four stories or something like that.

Member Wilson said, if you go to B-5, if you drop down from what is really east but come down half way on 500S in your development and you main town square is right there in the middle, and then you go just what would be to the south of that there us tree line right and then there is a set of blocks that run through there, what is the size of the access to those lots? Do you have front and rear access in there?

Mr. Brown said, yes we do. That was actually a compromise that we made. If you look on page (not audible) there is a rear access also and there are places --- x-18 -- that both the front and rear of those homes, even though they front along that tree line (not audible). For emergency apparatus access.

Mr. Hershman said, I think this came up at the Tech Review Committee as part of the (not audible) parking or on the street parking or a later version of the time we had the bump outs. You were actually going to have rear access to the garages. Basically you are proposing a lane toward the back of these properties for rear access for the garages so you don't have on street parking, correct?

Mr. Brown replied, correct.

Member Wilson said, the way I looked at your drawing, which one example would be on x-20, you intend to run the rear access between the livable structure and the garage?

Mr. Wright replied, that is an alleyway.

Member Wilson said, so your turning radius on all those emergency lanes going behind those places in and out big enough to handle a ladder truck going around those corners?

Mr. Wright replied, yes sir.

Member Wilson said, past history for PUD's in this county is, the county has gotten agreements from the particular developers that if there is impact on collecting roads and you only have two on this development, one is on 500S and one is on New Columbus Road, that the developer, the past practice is, the developer have agreed before it even starts to make improvements on those collecting roads to handle the volume of traffic that comes off the development. That would mean, that if that was agreed to that at least from the point of your development to New Columbus Road or New Columbus Road on the other end that you would need to make improvements to handle whatever the county, estimate volume of traffic is in and out. I'll grant you that will change according to how many phases that you are going through. But those agreements have been detailed to

the point where if traffic flow reaches a certain point that the developer even agrees to put in automatic signals. That's expensive business.

From the comments that I have heard from the folks in the neighborhood out there as part of their concerns is, that their lives are going to be impacted because it would cause additional congestion and traffic flowing to and from your development. Now I grant you are not in a position today to tell this board one way or another on that but you have heard what they have said out here, you now have heard what past practices has been, so where along your line that consideration probably needs to come up. Alliance Road, I am very familiar with that, Alliance road between New Columbus Road and Ballard Addition, the next north, south, I would call collector road that you have is, County Road 50W or Main Street Road going to the west. That stretch of road going between the township line, Adams Township line and New Columbus Road is a very narrow road, it is a chip sealed road, the intersection at New Columbus Road and 500S is not even a true cross roads. The New Columbus Road runs at an angle. The county just put a new structure in on New Columbus Road, that's the bridge you were talking about over Sugar (not audible) --- some how or other though your work you are going to have to demonstrate how you are going to handle the impact of your addition on that particular --- what is currently sitting there. Because you may in the end have a 70 million dollar development in there but obviously you've got it in phases and obviously you don't know how that's all going to pan out. But this county doesn't have the money to front your development so those road improvements would be needed especially on 500 but 500, New Columbus Road somebody is going to have to find the money to take care of it. So that you don't think you are being picked on this issue, there has been, there has been past practice has been demonstrated by this county with developers so you are not unique.

Mr. Brown said, doesn't fixing up the roads help other developer who might come in?

Member Wilson said, so far the developer have put that up front. We want those things nailed down to reassure the people that live in those neighborhoods. That their quality of life is not going to be impacted by your idea.

Mr. Brown said, they are going to get with Chuck Leser on that point.

Member Wilson said, right now we are at the zoning stage. And our concern is this the best use of the land. If there is change out there is that going to improve the life of the citizens of this county? So it going to have to be incumbent up on you guys to make that case. Otherwise there is no incentive to make a change.

Mr. Brown said, we want to have those conversations.

Mr. Wilson said, Neal maybe you need to advise us a little on this part. Part of the problem here is, I am hearing, well don't have things nailed down with the Fall Creek Regional Waste quite yet. And we don't have things nailed down with the water company quite yet. Yet this whole zoning thing is predicated upon the absolute guarantee of public water and the absolute guarantee of public sewer. So the question is Neal, is it your anticipation that even for Phase 1 of this development that you are going to have an adequate well and an adequate water treatment system to handle the entire development on opening day for lot 1.

Mr. McKee said, we will be testing drilling and that will give us that information. We have talked to Josh about that and that we will probably do that next month. We give him the cost and all of that when we find out.

Mr. Wilson said, I will grant you the subsurface and the infrastructure and the phases would be put in at a later time. But I want to know about the treatment and I want to know about the well. And what you are saying is about the well permit. You are going to have an agreement to guarantee that when you drive the well and put the treatment plant in that initial investment by the developer and your company is going to be at a minimum sufficient that in the end to handle the entire development as proposed to the county?

Mr. McKee replied, yes. We'll develop the wells for the entire development and more. Our firm will actually own the water system, and operate it. As far as the drinking water goes, people who have 30 or 40-foot wells would go dry. You are at more of a risk if you are shallow and (not audible) make that comment, you're at more of a risk that some people who are a 100 feet simply because of the formation of where your at. Ultimately you are going to come down to what kind of formation are you in and whether we are deeper than you are. There is no guarantee that you will go dry at 40 feet.

We will enter in to an agreement with the people living in that area that their wells will be replaced or get water to them. We will have 70,000 gallons in back up storage.

Member Wilson said, in your conceptual drawing you show in Phase 1 you show school in there. What's the story with that?

Mr. Brown said, the school is not a full time school. It is more of a learning co-coop. A room if you will. A one-room schoolhouse type room that could be used by a number of families cooperatively. It's not that it's going to be a company learning school there. It is just an education center. A lot of the people will be home schooling and this gives them a place to meet.

Member Gustin said, who is going to maintain your green space? Are you going to have a neighborhood association ---

Mrs. Brown replied, we will hire a full time (not audible)

Member Maxwell said, I have one question. This village concept is there, I am assuming there's not one existing within the state.

Mr. Brown said there is nothing of this exact thing built in this state however there are a number that have elements that we pulled elements from that I could point to.

Member Wilson said, at this point I am hung up on interviewing the Technical people just because of the way this has gone and not to drag things out for you people, I just think we need to hear from them.

Mr. Shine said, that should either be in writing if it's going to be evidence, it needs to be in writing or it needs to be at a public meeting.

Member Wilson said, I make a motion that we table this until the next regular scheduled meeting, which is the 9th of October.

Mr. Likens seconded the motion.

The vote was unanimous in favor of the motion. **Petition #545 of The Little Village Makers, LLC for Conceptual Development Plan of Simpler Times Village has been table until the October 9th, 2007 meeting.**

2. Miscellaneous: Mr. Shine said, for the record we had an Executive Session on July 24th at that time we discussed personal matters concerning job performances.

Member Wilson said, councilor, technical question. This was a public hearing on the zoning matter that was in front of us today is that correct?

Mr. Shine replied, that is correct.

Member Wilson said, okay, so for clarity when we tabled it this, even though we are going to conclude this meeting we have continued for the record the public hearing until the next regular scheduled meeting.

Mr. Shine said, there was not a motion to cut off the meeting any discussion. If you want to listen to the same stuff again you can listen to it again.

Member Wilson made a motion, seconded by Member Newman to adjourn. The vote was unanimous in favor of the motion.

Adjournment: 1:33:23 P.M.

Bill Maxwell, President

Beverly Guignet, Secretary

Attachment: The following is a memorandum of the Executive Session held July 24, 2007 concerning, job performances.

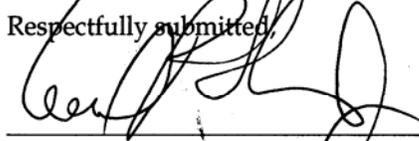
**MEMORANDUM OF EXECUTIVE SESSION OF
MADISON COUNTY PLANNING COMMISSION**

On July 24, 2007, at 7:30 a.m., an executive session of the Madison County Planning Commission was held in Room 108, First Floor, Madison County Government Center, 16 E. 9th Street, Anderson, Indiana, pursuant to notice issued, for the purpose of job performance of employees, pursuant to *I.C. §5-14-1.5-6.1(9)*.

Present were John Randall, Jr., Bill Maxwell, Brad Newman, John Orick, Paul Wilson, John Simmermon, Mark Gary and Gary Gustin, Members, and Gerald P. Shine, Jr., Attorney. Wes Likens was absent.

Job performance of employees of the Madison County Planning Department were discussed in detail, including those of the Executive Director, who appeared before the Board. No subject matter was discussed in the executive session, other than the subject matter specified in the public notice.

Respectfully submitted,



Gerald P. Shine, Jr. (#297-48)
Attorney for Madison County Planning Commission

CERTIFICATE

No other issues were discussed in the executive session, except those stated in the above memorandum.

MADISON COUNTY PLANNING COMMISSION

BY: Bill Maxwell

PREPARED BY:

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