

**TOWN OF PITTSBORO  
ADVISORY PLAN COMMISSION  
MEETING MINUTES**

**Tuesday, May 28, 2024**

**6:00 pm**

**Pittsboro Administration Building  
33 E Main Street, Pittsboro, IN 46167**

**Members Present:** Steve Maple; Cathy Vandivier, Lisa Abbott, Jason Anderson, Jack Swalley, Jarod Baker.

**Members Absent:** Zach Buchanan

**Staff Present:** Jim Buddenbaum, Town Attorney; Cynthia Bowen, Town Planner

**Attendees in person:** See list attached

**To watch the live stream of the meeting:**

[https://townhallstreams.com/towns/pittsboro\\_IN](https://townhallstreams.com/towns/pittsboro_IN)

1. Steve Maple Call Meeting to Order at 6:00pm
2. Steve led us in the Pledge of Allegiance & Moment of Silence
3. Roll Call – Cathy Vandivier, Lisa Abbott, Jason Anderson, Steve Maple, Jarod Baker, Zach Buchanan present.
4. Six of Seven members present that determines that we have a quorum.
5. Approval of Minutes. Mr. Maple made a motion to approve the March 26, 2024 minutes and Mr. Anderson seconded. All ayes to follow, motion approved (6-0).
6. Public Comments (not related to public hearings). Bob King, 295 South Liberty Drive, wants to know the progress on the rezone of 33 East Main for the trash trucks. Nothing has happened at this time. There is nothing to put a title on but we will look to put a proper one on in the future.
7. Old Business. None.
8. New Business
  - a. **2024-APC-23 Alexander Tract 1 / Cash Concrete Annexation Zone & 2024-APC-26 Warren Strip Recommendation:** A recommendation to apply the “I-2” Industrial 2 Zoning District to the potential annexation area of 14.80 acres of property located at approximately one-third mile north of County Road 850 North / Northside Drive intersection, and 600 feet west of County Road 425 East and a recommendation to apply the “A” Agriculture Zoning District to the potential annexation of a 60-foot strip of ground from the Warren parcel to the north of Tract 1.

- i. Staff introduction.
- ii. Plan Commission discussion / feedback.
- iii. Staff to address the concerns that have been raised (if any).
- iv. Have the Plan Commission make a motion recommending that Tract 1 be zoned to the "I-2" Industrial 2 zoning district and the Warren parcel be zoned "A" Agriculture to the Town Council. The Plan Commission's options are to make:
  1. A Favorable recommendation
  2. Offer a different zoning classification
  3. Table to June 25, 2024 Plan Commission Meeting

The subject property is approximately 14.8 acres in size and is located approximately 1/3 mile north of County Road 850 North/ Northside drive intersection and is 600 feet west of County Road for 25 East. The petitioner is seeking to annex the parcel into the town of Pittsboro jurisdiction. The parcel is a square parcel, Cash Concrete is acquiring a 60 foot strip of ground from Warren parcel to the north. They will be working with the town to dedicate that strip as public right away for future connection to Opus industrial ground. to the west, from County Road 425 east to the east, the petitioner will be establishing a concrete plant business on the currently agriculture unimproved parcel. The property's current use is agriculture, based on the development proposal at this time. Staff recommends the plan commission to offer to the town council that the parcel be zoned as I2 when it's annexed into the town. The Warren parcel would be zoned as Agriculture.

Tom and Kathy Davis, 901 North County Road 275 E. The entire annexation property is directly adjacent to a quarter mile of their property, running north and south. Three days ago, he learned about this. Has there been enough study about a concrete plan going in there? How it affects wells in the area, and also how it effects traffic and hearing. He had to replace his well last year after it burned up the pump because the water level has dropped by 48 feet. He believes this is because the city put a well in just north of 74. He's concerned about the amount of water used by the concrete plant. He lives very close to other wells so any effect on his well will also be an effect on other wells in the area. He also disagrees with the town council's stance that north of 74 will be commercial and south will be residential. He says there is already a lot of residential north of 74 and there will be significant opposition.

Charles Chillers, 9008 North County Road 500 East. He's been in concrete business for 25 years. The plants will use a tremendous amount of water and doesn't use city water. They'll dig their own well and use around 10,000-20,000 gallons of water a day. The trucks are too heavy for Pittsboro's roads, especially the access roads to the property, which is going to create a tax burden on Pittsboro to repair the roads. The local aquifer needs to be examined.

Plan Commissioner mentions there is a DNR state law that requires residents to be compensated if they lose their passive well water due to larger projects. Many in the audience including Tom and Charles, say they don't want the compensation they just want their water.

Charles is also concerned about the dust and how it will affect his mini farm due east of the property. The chemicals in the concrete may get into the ground. Concrete companies tend to clean out their trucks without retaining the water and the chemicals may seep into the water system.

Billy Albright, 9400 North County Road 550 E. He is building a home on his property but does not want his life savings to go next to a concrete plant. He does not think the plant is the right way to grow the town.

Mary Rokusic, 9769 North County Road 550 E. She quotes from the 2020 comprehensive plan, "In an effort to manage growth, the first item is to discourage new developments where major utility infrastructure is needed and where utility infrastructure cannot be extended." She also says the steel mill pulls a great deal of water and electricity, so much so that the power company makes them have shut downs in the summer. How much more will the concrete plant pull? She is concerned about the contaminants and the disturbances the plant will cause. She believes the plants start around 1am-3am every day and will require exterior lighting around the plant. What assurances can the commission give residents that the plant will not have adverse affects on them? She asks the commission to find an unfavorable recommendation to the proposal.

Matt Maslin, 4452 1000 North. He says there has already been a study done that says the surrounding roads are not capable of handling commercial traffic.

Cara Sheets, 8740 North County Road 150 E. Currently the Pittsboro well north of 74 has a 300 gallon daily limit. But is this the most desirable piece of land for that type of growth? Could you put something on the record that this will not have adverse effects on property values? And will variance after variance have to go up to make other areas 12 or within that same area?

Representative from Cash Concrete, Neil Cash. Hoping to expand into the Pittsboro market. Family business for 106 years. Currently based out of Putnam county, supplying within Hendricks County for years. Facilities in Greencastle and Rushville. Rushville is a small town who had the same concerns. He described how concrete is made. They would have to get an air permit which would also cover any dust production. They would have a dust control system for anything that gets tracked in from inside, but the raw materials are all contained so that is not what creates the dust. And the cement will be in silos. They will have storm water and pollutant containment plans. He believes the only pollutants would be from truck oil or the like. Truck traffic is seasonal, on a high day it would be around 10 trucks. 300 yards of cement on a good day. Very small comparatively. They would be getting regular sampling to make sure they are within. On average, about 9000 gallons on a 300-yard day. They would put storage in place for retaining water. Cash Concrete would pull all the water from town of Pittsboro. The well would only be on a temporary basis or emergency basis. Very little onsite pouring/molding. Only looking to expand a footprint. Not really any toxic waste in concrete plants.

Question from the planning commission, what is the best example plant for what you would bring here? None of the current Cash plants are similar. The Shelby Materials in Westfield or Pendleton is closer to what we will build.

What can Cash Concrete show as environmental protections? The only thing we do at our facility is bring in aggregates into a contained environment and convey the concrete into silos that then goes into the truck so there's no erosion or environmental impact. We don't touch ground water.

Can you guarantee that the aggregates will not get into their wells? To my knowledge that has never happened. We have had zero violations with contaminates.

Is this something we need? Is this going to harm the town of Pittsboro? Do we want to grow this much?

Neil Cash - Cement is different than concrete. Cement is the one who creates pollutants. I think a lot of those concerns are focused on cement, not concrete.

Steve made a motion to give I-2 zoning for the subject property. Jarod second. The vote was ~~2-2~~ <sup>3-3</sup>. Does not carry. Steve Maple, Jarod Baker voted aye, Cathy Vandivier, Lisa Abbot, Jason Anderson, Jarod Baker voted no.

*JACK SWALLEY*

Jack Swalley made a motion is made to annex with Agriculture "A" Zoning District. Jarod Baker second. Motion passes 5-1. Ayes: Cathy Vandivier, Lisa Abbott, Jason Anderson, Jack Swalley, Jarod Baker. Nays: Steve Maple;

A motion is made for Agriculture Zoning District "A" on the Warren property. Motion passes 6-0. No individual voice vote.

- b. **2024-APC-24 Alexander Tract 2 / Alexander Annexation Zone Recommendation:** A recommendation to apply the "A" Agriculture Zoning District to the potential annexation area of 19.16 acres of property located on the northside of County Road East 850 North and at the intersection of Northside Drive.
- i. Staff introduction.
  - ii. Plan Commission discussion / feedback.
  - iii. Staff to address the concerns that have been raised (if any).
  - iv. Have the Plan Commission make a motion recommending that Tract 2 be zoned to the "A" Agriculture to the Town Council. The Plan Commission's options are to make:
    1. A Favorable recommendation
    2. Offer a different zoning classification
    3. Table to June 25, 2024 Plan Commission Meeting

The subject property is approximately 19.16 acres in size and is located on the north side of County Road East 850 North and at the intersection of North Side Drive. The petitioner is seeking to annex the parcel into the town of Pittsboro's jurisdiction. The parcel is a rectangle parcel. The petitioner will keep the parcels agriculture unimproved parcel, the property's current use is agriculture. Based on the development proposal this time the staff recommends to the planning commission to offer to the town council that the parcel be zoned as agriculture when it annexed into the town.

No discussion needed by the board or public.

Steve moved to recommend an Agriculture District for Alexander Tract 2. Jason second. 6-0. Motion passes. No individual vote.

- 52M  
65.06
- c. **2024-APC-25 Alexander Tract 3 /Alexander Annexation Zone Recommendation:** A recommendation to apply the "A" Agriculture District to the potential annexation area of ~~13.44~~ acres of property located at 1,350 feet west of County Road North 425 East and 1,521 feet north of the intersection of County Road East 850 North and Northside Drive.
- i. Staff introduction.
  - ii. Plan Commission discussion / feedback.
  - iii. Staff to address the concerns that have been raised (if any).
  - iv. Have the Plan Commission make a motion recommending that Tract 3 be zoned to the "A" Agriculture to the Town Council. The Plan Commission's options are to make:
    1. A Favorable recommendation
    2. Offer a different zoning classification
    3. Table to June 25, 2024 Plan Commission Meeting

65.06 J. SDM

The subject property is approximately ~~13.44~~ acres in size and is located 1350 feet west of County Road North 425 East and 1521 feet north of the intersection of County Road East 850 North and Northside Drive. The petitioner is seeking to annex the parcel into the town of Pittsboro's jurisdiction. The parcel is also rectangular. The petitioner will keep the parcel as agriculture unimproved. The property's current use is agriculture. Based on the development proposal at this time, the staff recommends to the planning commission to offer the town council that the parcel be zoned as agriculture when it's annexed into the town.

An error was found on the map provided by the petitioner during planning commission discussion. The labels on the tracks are incorrect.

Jared moved to recommend an Agriculture District for Alexander Tract 2. Steve second. 6-0. Motion passes. No individual vote.

- d. **Ordinance Amendment Discussion:** A discussion regarding the creation of an administrative subdivision to split off up to

- i. Staff introduction.
- ii. Plan Commission discussion / feedback.

Requested Town Planner to advertise in Paper and write up amendment.

9. Potential and/or On-going Enforcement - None

10. Miscellaneous

Someone needs to be nominated for Secretary. Steve nominates Jason. Lisa seconds. Vote is 6-

0. Motion carries.

11. Board Comments

Commissioner Jarod thanks the audience.

12. Adjourn

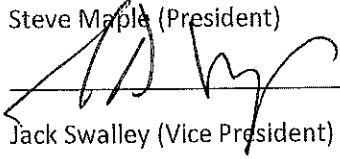
Jason makes motion to adjourn. Jack second. Vote is 6-0. Motion carries.

**NEXT MEETING: June 25, 2024**

May 28<sup>th</sup>, 2024 APC meeting minutes approved at the June 25<sup>th</sup> , 2024 APC meeting.

## Advisory Plan Commission

Steve Maple (President)

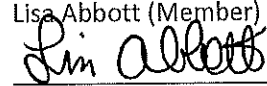


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Jack Swalley (Vice President)

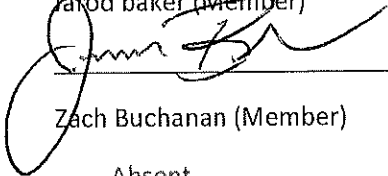
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Lisa Abbott (Member)



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Jarod baker (Member)



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Zach Buchanan (Member)

Absent

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Jason Anderson (Member)



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Cathy Vandivier (Member)



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# Advisory Plan Commission 5/28/24

## Names / Address

Tom Davis  
Kathi Davis  
Mitchell Alexander  
BOB KING 295 S. WOODRIDGE DR  
JAY THOMPSON 7722 QUAIL CREEK TRACE  
LINDA THOMPSON " " "  
Chuck Annette Childress 9008 N CORP STOE  
Kara Sheads 8340 NCR 150 E  
Thomas + Mary Rokusek 9769 N CR 550E  
Dayna + Keith Yeager 4478 E. Co. Rd. 1000 N  
Andrew Adams 10076 N. C.R. 471E  
Ben Ansteth 2478 E 45136 Pittston  
Jeff Hines 3519 W CR 950N  
JEREMI HAYS 9726 N CR 425E  
MIKE FARMAN 9784 N. CI. RD 425E.  
Jodi Ensign 5727 Tara Way  
MATT MAZEUN 4452 E 1000N  
Kyle Martin 108 Woodview Dr  
Randy Sue Burger 8650 N Co Rd 425E  
Kie Burger  
Billy Albright 9400 N Co Rd 550E