

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
FEBRUARY 2024 SPECIAL MEETING
AGENDA**

DATE: February 15, 2024

PLACE: Commissioners' Court Room
3rd Floor, Delaware County
Building

TIME: 5:00 P.M.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Nathaniel Carroll
Jerry Dishman
Shannon Henry

Teresa Hensley*
Jesse Landess
Michele Owen

Rickie Sipe
Christopher Smith
Allen Wiseley

Advisory Members

Tom Borchers

Justin Curly

Adam Leach

NEW BUSINESS:

MPC 19-23S

Jurisdiction: Delaware-Muncie Metropolitan Plan Commission

Being a consideration of a preliminary plat for 18 lots in **Dyer Family Cemetery** on premises located on the north side of Martin Street, adjacent to 20050 North Martin Street, Washington Township, Delaware County, Indiana, as more accurately described in the application.

ADJOURNMENT:

*Terms expiring; members serve until new appointments are made.

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
FEBRUARY 2024 SPECIAL MEETING
MINUTES**

The Delaware-Muncie Metropolitan Plan Commission held a Special Meeting on Thursday, February 15, 2024 at 5:00 P.M., in the Commissioner's Court Room of the Delaware County Building, Muncie, Indiana. President Allen Wiseley called the meeting to order.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Ms. Swackhamer called roll and the following members were present: Mr. Carroll, Mr. Dishman, Mr. Henry, Ms. Hensley, Mr. Landess, Ms. Owen, Ms. Sipe, Mr. Smith, and Mr. Wiseley. Absent: Mr. Borchers, Mr. Curly, and Mr. Leach. Also present: Mr. Murphy, attorney for the Board.

NEW BUSINESS:

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Being a consideration of a preliminary plat for 18 lots in **Dyer Family Cemetery** on premises located on the north side of Martin Street, adjacent to 20050 North Martin Street, Washington Township, Delaware County, Indiana, as more accurately described in the application.

Kathy Vannice, Ashton Land Surveyor, 325 W. Washington St., Muncie, Indiana, appeared to represent the applicant. She thanked the Board for calling a Special Meeting for this request, since they were working on a tight timeline. She stated that this parcel would be 50' x 25' that they were wishing to make a family cemetery containing 18 plots that would be 5' x 8' each with room for a walkway and parking along the exterior of the cemetery. She stated that they would be dedicating right of way to the County the full width of the property and would be 180' east to west and 25' off the center line of Martin Street. She stated that this was a 3 acre piece of land currently with no buildings, and that they would be platting the remaining piece of property so that it would become a buildable lot. She stated that the cemetery was located towards the road as centrally as possible since you cannot build within 100' of cemetery and that they did not want to cause any issue for future building.

Mr. Wiseley asked if this property would remain in the care of the family and they would be responsible for maintenance.

Ms. Vannice stated yes, and that there were some restrictions on the plat to make the cemetery to remain within family control.

Ms. Wiseley stated that in the restriction, 2F, it stated that only seeing eye dogs could be brought into the cemetery and that should be changed to service animals to meet with the most current language.

Mr. Landess asked if there would be a fence installed around the cemetery.

Ms. Vannice stated that right now they were allowing people to park around the perimeter so there was no fence at this time.

Mr. Landess stated that he knows nothing can stop vandals, but anything that could slow them down was good.

Mr. Wiseley stated that at least a fence along Martin Street because of the curve might be helpful.

Ms. Vannice stated that the curve in the road was part of the reason that they moved some of the graves back from the road to keep people from driving right onto the cemetery.

Carrie Dyer, 20060 N. Martin St., Gaston, Indiana, appeared. She stated that a family cemetery was something that her parents had talked about and that they all value living in a rural area and being in nature. She stated that her father unexpectedly passed away in September and that they had been trying to get things finalized since that time. She stated that they were reaching the 6 month point and that the funeral home, where he was being held, stated that he had to be buried by March 3rd, so they were trying to finalize everything.

Mr. Smith stated that this was not a current cemetery, but that they wanted it to be a family cemetery in the future.

Ms. Dyer stated yes.

Mr. Carroll asked how many plots would be in the cemetery, and if that would need to be changed in the future.

Ms. Dyer stated that there were 18 plots and that it was just her and her parents, so they would not need more space.

No one appeared in opposition.

Mr. Landess stated that he had been thinking about the fence and that he did not want to add an expense to anyone, but that he felt it was important. He stated that he would hate to see the dead dishonored by someone vandalizing the ground by any means, and that he felt very strongly about it.

Mr. Henry stated that Black Cemetery had a fence that was open and that they ended up taking it down because so many vehicles came off the road and went through the fence. He stated that they ended up taking it out because it was too expensive to continue to maintain the fence. He stated that there were a lot of cemeteries in the county that were not fenced in.

Mr. Smith stated that he would not want to tell them that they had to place a fence if they were ok not installing one on their land.

Ms. Swackhamer stated that an email was received from Daniel Warfel stating that he owned property adjacent to this location and that he had no objection to the request.

Mr. Wiseley asked Ms. Swackhamer to read the findings from the Subdivision Committee.

Ms. Swackhamer stated that the Subdivision Committee had asked that the title be changed to read a preliminary, and that change had already taken place. She stated that another recommendation was to change the page numbers to read 1-4, and that had been discussed with the Records Office and the Auditors Office, and since the survey and plat are separate documents and are filed separately, those page numbers would not be changed. She stated that the other changes were to add the acreage for each burial plot to show that each plot was .001 acres, the 25' right of way needed to be labeled on the boundary survey, and that a note be added regarding the discrepancy in the total acreage and had been attributed to a margin of error from a previous survey.

Mr. Henry made a motion for a favorably recommendation for MPC 19-23S the appeal of Dyer Family Cemetery. Mr. Carroll seconded the motion. Voting in favor: Mr. Carroll, Mr. Dishman, Mr. Henry, Ms. Hensley, Mr. Landess, Ms. Owen, Ms. Sipe, Mr. Smith, and Mr. Wiseley. Voting against: None. Motion carried, MPC 19-23Z approved.

ADJOURNMENT:

Allen Wiseley, President

Kylene Swackhamer, Secretary

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Allen Wiseley, President

Kylene Swackhamer, Secretary