

From: [Joyceann Yelton](#)
To: [Eric Calisto](#); jim.finefrock@envoycompanies.com
Subject: RE: Union Chapel
Date: Tuesday, November 15, 2022 1:40:00 PM
Attachments: [Page 1 - Nenni Woods.pdf](#)

Eric,

First, let me apologize for delayed response to these emails.

In doing further research, it appears that within "Nenni Woods" there is already the dedication of a trail easement through lots 1, 2, 3. With that dedication for the trail already obtained, this adjacent property is dedicating approximately 382 feet from the Union Chapel right-of-way continuing east that actually hooks into the already dedicated easement within "Nenni Woods". Please keep in mind, that the drawing that you attached is very general in nature, as during the time of adoption of Park Master Plans, Noblesville Alternative Transportation Plans, etc., and many other general governing plans, they indicate the "Big" picture and not the fine details. These "big picture" items are our goals for achieving some end result such as a trail that connects from point "A" to point "B" and beyond.

Another item to consider regarding the location as indicated on your attached map is the fact that it is immediately adjacent to Stony Creek. Based on our agreement with the Federal Emergency Management Agency and our continued enrollment in the National Flood Insurance Program, we are responsible for enforcing "floodplain management practices" that would include any obstruction as defined. Briefly, that obstruction includes but is not limited to the following: dam, wall, building, bridge, culvert, gravel, fill, soils, and other vegetation that would alter, impede, retard, or change the direction and/or velocity of the flow of water and the likelihood of some of these aforementioned items being carried downstream. In the construction of a trail, there is no way around altering the soils, possibly providing fill that would fit the definition provided for obstruction.

When considering a primary plat for approval, it must meet the bulk standards as well as provide for those items such as a dedicated easement for a trail and/or right-of-way to meet the adopted generalized plan(s) goals and objectives. The dedication of the trail easement does provide the City an opportunity to construct a trail in the future; once funding sources are identified for that improvement.

Negotiation for the trail easement began with the owners of the "Nenni" parcels back in 2014 and thus they did dedicate that easement. Again, this property abuts your property and now it is a matter of less than a 400-FT dedication of land for the trail. I truly believe it would be very difficult to obtain/negotiate an alternative route since it has been almost eight years that the original trail dedication was obtained. Again, this easement is about location and those areas that the City could construct a trail without being immediately adjacent to the water way.

I have copied the email received from Jim Finefrock below to answer his questions in RED.

Thanks for meeting with Eric and me last Thursday. I left you a message but thought I'd send a quick email. Can you tell us a few things about the trail:

-what the status of the Trail is for the Easement that shows on the Survey you gave us....has it been approved and is there a timeline for construction? **The trail easement shown on the plat will be dedicated to the City during the secondary plat acceptance by the Board of Public Works. As for a time line for construction that depends on obtaining all of the required dedications so that the City can construct an unbroken segment of the trail and of course funding is always a concern.**

-how many other property owners need to give approval in order for the trail to be constructed **There are two additional property owners that would be required to provide an easement so that we could construct a trail from Union Chapel Road to Stony Creek Estates that is approximately 2/3's of a mile.**

-Does the Easement for the Trail go through any of Eric's properties at 16930 and 16960 Union Chapel? (has that easement already been approved by a previous property owner?) **Refer to attachment and details above.**

-Does the Trail Easement go through Terrence Garret's property 18.86 acres of woods and what does that path look like? (East of 16960/and perimeter). **Currently, there is nothing dedicated by Mr. Garrett.** We're wondering if Noblesville's plan is to go through the whole woods/perimeter to the North then West to Union Chapel or if it only goes West through Jaymie's property? (assuming it's Noblesville's planning not Hamilton County's planning? **(it is the City's zoning jurisdiction)** ..if there's a better contact for this info please let us know who that is) **Reference above drawing and details.**

-Can you provide us with something that shows where the whole Trail leads or is planned from Union Chapel East towards the StonyCreek Golf Course? (not sure what the path is so not sure what direction to ask other than East). **Click on link [here](#) for a general location of the trails. Once this is open, Click on "Noblesville Alternative Transportation Plan – Part 6 – Maps". This should be the first item in the list.**

Any info would be helpful for Eric's future planning. I'd appreciate a response to the email so we have the info handy for reference in the future but if you'd like to call as well to explain the situation a bit that would be useful also. You can call either me or Eric ([574](tel:5742976798)) [297-6798](tel:5742976798) (Eric would be best in the afternoons so he hears the information first hand)

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Respectfully,

Jim Finefrock
Associate Broker

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From: Eric Calisto <emailericcalisto@gmail.com>
Sent: Thursday, November 10, 2022 1:56 AM
To: Joyceann Yelton <jyelton@noblesville.in.us>
Subject: Union Chapel

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Hi Joyceann,

Last week you spoke with my realtor and me regarding 16864 Union Chapel Rd. I appreciate your time, as well as the assistance you provided.

I wanted to reach out because it looks like we most likely **won't** be purchasing the property from Jaymie Gatewood. I noticed on the survey, however, that there is a trail easement that is being discussed on the left side of that parcel. I am concerned about that because, due to how my property slopes (16960 Union Chapel Road), that will essentially put the trail in our backyard. I am just wanting to see why this is being done, rather than the proposed trail location from the GIS viewer (screenshot attached).

My wife and I have been saving for land in hopes of starting an animal sanctuary down the road and the trail going through the back yard where we were going to put animal runs would be detrimental to our plans. I am hoping there is something I can do to prevent this from happening and to keep the original plan in place.

Thank you for your time. I look forward to hearing from you.

Best,
Eric and Kristen Calisto