

**Town of Porter  
Plan Commission  
Meeting Minutes  
February 19, 2020  
5:30 p.m.**

- A. Meeting was called to order at 5:30 p.m.
- B. Pledge of Allegiance
- C. Roll Call/Determination of Quorum
  - Present: Mr. Eriksson, Mr. Spanier, Ms. Duffie, Ms. Madigan, Mr. Craig, Mr. Phillips, Mr. Albrecht-Mallinger
  - Also Present: Ms. Sufana, Ms. Frost, Mr. Mandon, Mr. Barry
- D. Quorum-There are enough present for a quorum.
- E. Consideration of Minutes from January 15, 2020 meeting
  - Mr. Eriksson made a motion to approve the minutes from the January 15, 2020 meeting, Mr. Albrecht-Mallinger seconded.
  - Motion approved 7-0
- F. Audience Participation-NONE
- G. Old Business- NONE
- H. Site Plan Approval-Mineral Springs PUD
  - Ms. Madigan is going to refrain from questioning and voting due to an unrelated relationship with petitioner.
  - Mr. Barry gives a little insight as to why they are here. In 2015 we passed a PUD Ordinance there were two written commitments, at the time the Petitioner would be seeking a building permit for building #4, Petitioner will submit a landscape plan to the Plan Commission for review and approval. The purpose is to provide a suitable landscape plan where trees and bushes have been removed for the placement of building #4. The second, the area south of building #1, is designated for outside storage of equipment such as backhoes, trailers, lowboy or other construction equipment which must be owned by a tenant. No aggregate or other similar products may be stored outside. Basically building 1 and 4 are what they are doing first. Everything that we are going to discuss involves those two items.
  - Ms. Frost states for clarification that building #2 use to be building #4 on original plan. Greg Babcock, attorney, along with Brett Carney and David Ales are requesting a site plan approval along with a landscape plan. The 2015 plan things didn't happen it sat idle.
  - There will be 56 Norway spruce and 7 flowering crabapple for the outside lines of property. Building #2 will house Dave's Lawn Service set back is going to sit 20 feet off of west property line. The original site plan shows it 8ft off of west property line. Building 1 will be pulled down 10 feet to the south. The site is zoned B2 PUD. There is two detention ponds around the property. There is a sanitary lift station on the edge of

Mineral Springs Rd that will service the property. Dave's Lawn care will have office staff in the building. The plan also allows for outdoor u shaped concrete bins for landscaping needs or retail sales sometime in the future.

Mike has all the drainage designs that look in order and he isn't going to approve until the site plan gets approved.

Mr. Phillips how soon will trees be planted. Mr. Babcock said as soon as he gets building permit.

Mr. Mandon asks if they will be doing plowing. Dave Ales states yes they will. Mr. Mandon states they need to know where salt will be stored.

Ms. Duffie asks if they will be selling seasonal things like xmas trees, mums, pumpkins.

Mr. Ales states eventually. Does the retail business include hot choc, donuts, and such and does the PUD allow for that? Mr. Barry states yes it does. Ms. Duffie also asks about the dumpster? Mr. Carney comments not sure yet where the dumpsters will be yet.

Ms. Duffie asks about signage. Ms. Frost states the number of signs shall be no more than four single sided signs for each proposed building and shall be 3' x 16' (48 sq ft). the proposed free standing sign shall be 14' x 20' (280 sq ft per side). The same shall be 20 ft in height and located at the top of the hill on Petitioner's lot adjacent to the driveway coming from Mineral Springs Rd. Total square footage for all signs combined shall not be greater than 1048 square feet for the site.

Mr. Phillips asked how long will this take to build? Mr. Ales comments as soon as possible, should be done this year.

Mr. Babcock references a letter he submitted to the commission about their new plan for the property compared to the old plan.

Mr. Albrecht-Mallinger asked what building will be Dave's Landscaping. Mr. Babcock comments building #2. Building #1 not sure yet when it will be put up depends on demand for it. Mr. Albrecht-Mallinger asks if proposed elevations will be done now or later? Mr. Carney states the site will be prepped and graded as if it is done. Mr. Albrecht-Mallinger asks for the area shown except for building #2 everything will be paved with asphalt millings. Mr. Carney comments yes except for driveway it has to be paved per the State code. Mr. Albrecht-Mallinger asks about the sewer. Mr. Carney said he had talked to Mr. Barry before about it and he has plenty of elevation. Mr. Albrecht-Mallinger asks about 50% of info structure being done within 5 years. It is passed 5 years and he doesn't see anything done. Mr. Babcock states the Ordinance is dated August 2015 so 5 years would be August 2020. Mr. Albrecht-Mallinger doesn't see how approving a site plan that doesn't show storage changes how the actual ordinance changes in black and white. He doesn't see how we are protecting your adjacent neighbors. Mr. Babcock states we still have the building permit process and the building commissioner does have a say as to what can be stored there. Mr. Barry states the point of the letter is for the outdoor storage. The original ordinance for outdoor storage was for Mr. Carney's equipment. Mr. Albrecht-Mallinger asks what materials will be stored outside. How can we be sure that our community will be protected?

Mr. Spanier asks Mr. Mandon the permitted nursery and other uses in B2 does starting out does that matter. Mr. Mandon states that retail is an additional use.

Mr. Mandon comments your concern on where and what and how materials are stored. What material is stored on the site is somewhat protected by you cannot store materials that are not permitted for that use. The how materials are stored will be down with the building permit stage. Mr. Carney states a general location is on the east side of property depending on what Dave's will have. They want to do what is right for the town and for them and not jump through too many hoops to get there.

Mr. Barry comments that one of our consultants we use has been with IDEM for many years and he has already taken her to the site. Salt storage will be a state regulations. IDEM passed a law last year about commercial sites MS4 law for commercial plans and he is giving her the plans to look at.

Mr. Craig asks for clarification that when getting building permit and Mr. Barry and the consultant will both look over plans to make sure everything is clear.

Ms. Duffie made a motion to approve the amended site plan and landscape plan, Mr. Craig seconded motion.

Mr. Albrecht-Mallinger is asking to amend the motion to include reasonably comprehensive list of materials be submitted to commission.

Mr. Barry will provide a list of information to the commission.

Roll call vote Eriksson, Duffie, Craig, Phillips, Spanier, Mallinger all voted yes. Madigan abstained. Motion 6-0

I. Preliminary Hearing-NONE

J. Public Hearing- NONE

K. Final Hearing-NONE

L. Findings of Fact-NONE

M. Other Business-Comprehensive Plan-Mr. Barry talked to Mr. Mandon about one year ago. There is some development going on and things have changed. They want to try to put it all back together with the changes. We really need to update it. Mr. Mandon states there have been quite a few changes in the last 4-5 years. One of the best tools is an examination on plan usage. It is a long drawn out process because you want the public involved. Facts are facts and data is data. Mr. Mandon submitted an estimate for the revision and update of the Comprehensive plan.

Ms. Frost states the point of this is to give us a draft for something to work with.

Ms. Duffie made a favorable recommendation to send to council with a revision to say Comprehensive Plan Research, Mr. Phillips seconded motion.


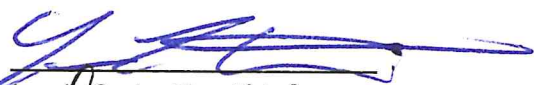


Motion passed 7-0.

Update from Attorney-

Board Comments- Ms. Duffie wanted to say thank you to Mr. Eriksson for his service to the town.

N. Adjournment- Mr. Craig made a motion to adjourn meeting at 6:57 p.m. Ms. Duffie seconded the motion.  
Motion passed 7-0

The next regular meeting will be held on March 18, 2020

  
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Laura Madigan, President  
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James Spanier, Police Chief  
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Rob Albrecht-Mallinger  
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Tara Duffie  
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David Phillips, Vice-President  
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Lewis Craig, Fire Chief  
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James Eriksson  
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Tammie Sufana, Secretary