

**Town of Porter  
Plan Commission  
Meeting Minutes  
June 17, 2009**

**A. The meeting was called to order at 7:30 p.m.**

**B. Pledge of Allegiance**

**C. Roll Call / Determination of Quorum**

Present: Ms. Brueckheimer, Mr. Eriksson, Mr. Timm, Mrs. Bollinger, Mr. Stinson, Mr. Martin, and Mr. Bell

Absent: None

Also present were Mr. Lyp, Mr. Mandon, Mr. Keiser, and Mrs. Mitchell

**D. Consideration of Minutes of Previous Meeting**

Mr. Stinson mentioned a minor change in the minutes concerning section “K”. The change was made.

Motion to accept the May 20, 2009 meeting minutes as corrected was made by Mrs. Bollinger; second by Mr. Martin. Motion approved via voice approval.

**E. Audience Participation**

None

**F. Old Business and Matters Tabled**

*Lake Erie Land Company request for extension of letter credit – Munson Place Development.*

Mr. Lyp mentioned that he is still working on the issue with Centier Bank.

**G. New Business**

None

**H. Preliminary Hearing**

None

**I. Public Hearing**

*Trails of Porter, PUD – primary plat approval*

Mr. Duffy represented the Duneland Group to the Plan Commission.

Public Hearing was opened at 7:35.

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No one spoke for or against the petition.

Public Hearing was closed at 7:36.

Mr. Lyp read into the record a letter from Haas and Associates dated June 12, 2009.

Mr. Bell asked Mr. Duffy if the conditions in the letter had been met. Mr. Duffy said that yes, the revisions were in the process of being made. Mr. Bell asked if the Town was going to have the lift station up to standards for this subdivision. Ms. Brueckheimer responded that they hope to be ready, but she could not give a specific date. She also stated that there is an alternative plan in place if the lift station is not ready. Mr. Duffy mentioned that permits are needed to hook up to sewer and that Ms. Brueckheimer will have to sign off on it too. Mr. Bell doesn't feel the Commission should sign off on this subdivision when there is no guarantee that the Porter Lift Station is going to be ready. Ms. Brueckheimer mentioned that subdivision or no subdivision, the Porter Lift Station is going to be improved.

Mr. Bell asked Ms. Brueckheimer that if the "alternative" is used who will incur the cost. Mr. Lyp said that until we know where this is going to go, we cannot decide who is going to incur the cost.

Mr. Eriksson asked if the Town still did not want the land that had been dedicated to them by the developers. Mr. Mandon mentioned that documentation should be made on the decision of the Park Board. Mr. Martin said that the Park Board would like to see a final plat. They have not made any formal decisions.

Mr. Stinson commented that he didn't like the plat before, and still doesn't, but he doesn't think there is any recourse here based on what the Town Council decided. He feels that all the conditions have been met.

Motion to approve the petition for primary plat approval was made by Mr. Stinson; second by Ms. Brueckheimer. Motion passed 6 – 0.

Mr. Martin – yes  
Ms. Brueckheimer – yes  
Mr. Eriksson – yes  
Mr. Timm – yes  
Mr. Stinson – yes  
Mrs. Bollinger – yes  
Mr. Bell – abstain

**J. Finding of Fact**

None

**K. Comments from Plan Commission Attorney**

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Mr. Lyp mentioned that he wanted to “clean up” some things in the zoning code. There is a hearing coming up before Judge Alexa to determine if the Hunter’s Glen Property Association has rights to the “open space.”

No executive session will be held following this meeting.

**L. Comments from Plan Commission Secretary**

None

**M. Adjournment**

Motion to adjourn the meeting was made by Mr. Martin; second by Ms. Brueckheimer. The meeting was adjourned at approximately 8:00 p.m.

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Lorain Bell  
Chairman

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Kara Mitchell  
Secretary