

**Town of Porter  
Plan Commission  
Meeting Minutes  
December 18, 2019  
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, Mr. Craig, Mr. Phillips, Ms. Duffie,  
Mr. Wagner, Ms. Madigan  
Also, Present: Ms. Frost, Ms. Sufana, Mr. Mandon, Mr. Barry
- D. Quorum-There are enough present for a quorum.
- E. Consideration of Minutes from November 20, 2019 meeting  
Ms. Madigan made a motion to approve the minutes from the November 20, 2019 meeting, Mr. Phillips seconded. Motion approved 7-0.
- F. Audience Participation-
- G. Old Business-Richard Anderson, representing Indiana Land Trust PUD PC 19-04, would like to add a paragraph at the end to the Ordinance that was previously approved by Plan Commission. Notwithstanding anything contained in this Ordinance to the contrary, this Ordinance and the Amendment to the Town Zoning Ordinance shall not become effective until the legal title to the real estate is transferred to Indiana Land Trust Company, as Trustee under Trust No. 120596 dated March 11, 2019 or its assigns as evidenced by the recording of the Deed in the Office of the Recorder of Porter county, In. Upon said recording, Petitioner shall provide a copy of said Deed to the Director of Development/Building Commissioner.  
Ms. Frost states that we would need a roll call unanimous vote to suspend the rules and allow it on the agenda. Ms. Frost states the petitioner has a POA from property owner when they filed the application. The reason for this addition is not real clear. Having opened ended language like that we do not think it is advisable, how do you know if it did or didn't take effect. Lastly, if you do accept than you set a deadline and have the deed be recorded.  
Mr. Anderson thinks this will benefit both the Town and the Petitioner.  
Ms. Madigan made a motion to suspend the rules to add this to the agenda Mr. Phillips seconded motion. Roll Call vote Craig, Spanier, Wagner, Phillips, Madigan, Eriksson all said yes.  
Ms. Duffie said no. Motion 6-1

Mr. Eriksson comments about last meeting on complaints on traffic and water. The traffic and water problems are state or Town problems. Mr. Mandon says that the town code has a restriction on stormwater and a rigorous standards. Ms. Frost comments when approving a PUD there are different standards that need to be followed. The statue is what you're supposed to look at.

Draft Ordinance on Use Variance-Mr. Mandon summarizes amending rezoning ordinance site Plan review.

Jennifer Klug, 200 Franklin St A, are you taking anything away from residents. Mr. Mandon states it is requiring a site plan review being the way to go.

Ms. Madigan made a motion to set Ordinance amending zoning for public hearing at the next meeting, Mr. Spanier made second. Motion passed 7-0.

#### H. Preliminary Hearing-NONE

- I. Public Hearing-Anderson Trucking Rezone PC19-06, change from a B3 PUD to I1 Light Industrial. Light industrial is more restrictive than a B3. Scott Follet, Minnesota and Scott Fuller, Minnesota. They have closed on the property at 1441 US Hwy 20, they are looking to change the zoning from B3 PUD to I1 Light Industrial.

Public hearing opened 6:06 pm-Jennifer Klug, 20 Franklin St A, is the safety issue resolved? She is in favor of it, as long as traffic is kept in a safe spot.

There was no one in opposition.

Public hearing closed at 6:10 pm.

Mr. Spanier does not see any problems with it.

Mr. Craig is in favor with no concerns.

Ms. Frost clarified that you can put a condition to submit the recorded deed.

Mr. Fuller states they have an agreement with TA on maintenance of the access road, TA will pay 75% of the maintenance. Mike looked over the easement agreement.

Ms. Frost states you can require them to have easement agreement recorded and on file with Town.

Mr. Craig made a motion to forward to Town Council with a favorable recommendation with the written commitments for easement agreement and have it recorded included, Mr. Spanier seconded. Motion approved 7-0.

Ms. Madigan made a motion to delegate Mr. Barry to forward recommendation to Town Council, Mr. Wagner seconded. Motion passed 7-0.

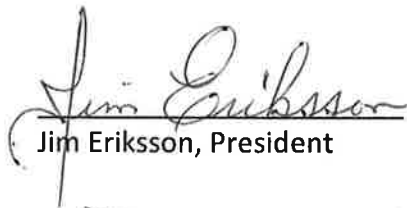
#### J. Findings of Fact-NONE

- K. Other Business-  
Update from Attorney-


Board Comments-

- L. Adjournment- Mr. Wagner made a motion to adjourn at 6:19 pm, Ms. Madigan made second.  
Motion passed 7-0.

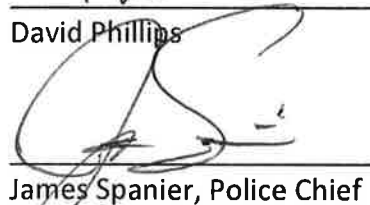
The next regular meeting will be held on January 15, 2019



Jim Eriksson, President



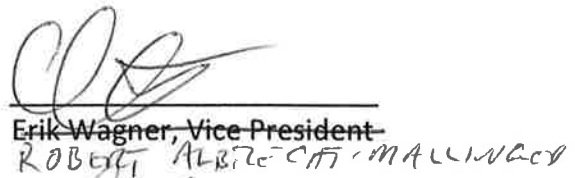
David Phillips



James Spanier, Police Chief



Tara Duffie



Erik Wagner, Vice President  
ROBERT ALBERT CHAMBERLAIN



Laura Madigan



Lewis Craig, Fire Chief



Tammie Sufana, Secretary