

**Town of Porter
Plan Commission
Meeting Minutes
October 21, 2009**

A. The meeting was called to order at 8:31 p.m.

B. Pledge of Allegiance

C. Roll Call / Determination of Quorum

Present: Mrs. Bollinger, Mr. Stinson, Mr. Keiser, Mr. Eriksson, Mr. Timm and Mr. Bell

Absent: Mr. Martin

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

D. Consideration of Minutes of Previous Meeting

Motion to accept the September 16, 2009 meeting minutes as corrected was made by Mr. Eriksson; second by Mr. Stinson. Motion approved via voice approval.

E. Audience Participation

None

F. Old Business and Matters Tabled

Porter Subdivision Control Ordinance

Mr. Mandon mentioned that there are at least three areas that need additional minor language changes. First, regarding planting of vegetation around the home. Second, regarding what ground disturbance triggers a permit. Lastly, regarding what to do with respect to septic systems on small lots – should development be allowed on those properties.

Additionally, Mr. Mandon stated that the committee came to the conclusion that people should be allowed to build on properties even if the lot is small, and even if the septic system is outdated. The county should be required to review the existing septic system. Mr. Bell asked if the criteria for septic systems have changed from ten years ago. Mr. Mandon also feels that the county should check them and make sure they are still functional.

Mr. Eriksson mentioned that he was involved with a lot that already had a septic system on it. The county told him that they are in charge of the septic systems. According to the county, the septic system could not be moved.

Mr. Bell asked if the criteria for septic systems had changed from ten years ago. Mr. Mandon believes that the county would still honor an older septic system, but for sure the county should inspect it before building begins.

Mr. Mandon feels that with this subdivision control ordinance in place, beach residents will not have to come before the BZA to get variances all of the time.

G. New Business

Porter Beach Overlay Update

Public Comment:

Randy Pavlock – feels that Porter Beach is unique. The cottages have historical value. He feels that Porter Beach should be treated differently.

Erika Brandstetter – asked for a clarification of #9. She feels that no matter how small the cottages are they all have historical meaning and value.

Kim Pavlock (350 Duneland Drive) – is thankful for all the work that's gone into this project. Is concerned that the Town Engineer might not be educated "in building in sand." Would like the "overlay" to have a spirit of collaboration between the residents and the Town of Porter. She would like to see the Town of Porter take more interest and have more concern with erosion on its Public Roads.

Jaime Hogan – spoke to address concerns being mentioned at the meeting. She also wanted to thank all of those involved with the project.

Elka Nelson – she mentioned that based on feedback from Porter Beach Residents there is confusion with "grandfather structures." Under the overlay, a burned down structure could be rebuilt in the previous structure's footprint.

Robert Mallenger – would like to see the update before the meeting so the residents can see the changes.

Jennifer Klug – questions whether it is fair to "non-beach residents" that the "beach residents" can rebuild a non-conforming house without a permit and "non-beach residents" cannot.

Paulene Poparad – Wanted to know if there are any minutes from Saturday's meeting. Also, wanted to know if the Ordinance would be written in narrative form, or what form it would be written in.

***Mr. Lyp discussed the possibility of starting the BZA meeting earlier to give the Plan Commission more time for the Public Hearing in the November meetings. The November BZA meeting will begin at 6:30 p.m.

H. Preliminary Hearing

None

I. Public Hearing

None

J. Finding of Fact

None

K. Comments from Plan Commission Attorney

Mr. Lyp stated that there is still no decision on the Hunters Glen Issue.

L. Comments from Plan Commission Secretary

None

M. Adjournment

Motion to adjourn the meeting was made by Mr. Stinson; second by Mrs. Bollinger. The meeting was adjourned at approximately 9:22 p.m.

Lorain Bell
Chairman

Kara Mitchell
Secretary