

**Town of Porter  
Plan Commission  
Meeting Minutes  
November 16, 2005**

**A. The meeting was called to order at 7:31 p.m.**

**B. Pledge of Allegiance**

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

Present: Mr. Timm, Mrs. Snyder, Mr. Stinson, Mr. Eriksson, Mr. Lewis, Mr. Childress,  
and Mr. Bell

Absent: None

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

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

Motion to approve the minutes of the October 19, 2005 regular meeting was made  
by Mr. Stinson; second by Mr. Tim. Motion carried via voice approval 7 – 0

**E. Audience Participation**

None

**F. Old Business and Matters Tabled**

*Continued discussion on Porter Noise Ordinance*

The Noise Ordinance is still being looked at by the Police Department. A meeting  
has been scheduled for November 28<sup>th</sup> at 6:30 p.m. to discuss the issue.

**G. New Business**

None

**H. Preliminary Hearing**

None

**I. Public Hearing**

*Petition to rezone made by Duneland Youth Baseball Association, Inc. for the  
property located at 800 Canonie Drive in Porter.*

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Attorney Russell Milbranth addressed the Commission representing the non-profit Duneland Youth Baseball Association. He stated that DYBA and one of its founders, Todd Finner, are asking the Commission to rezone 10.4 acres at 800 Canonie Drive north of U.S. 20 and west of Tremont Road to a Professional Business or PB zone so they can sell the acreage and raise money to build baseball fields elsewhere.

The western 3.9 acres of that tract currently are zoned Residential-1. The remaining 6.5 acres are zoned Business-3 and are adjacent to an office complex to the east also zoned B-3.

Mr. Lyp informed the Commission that all necessary forms had been filled out for the Public Hearing. Mr. Norman Tapper of 521 First Street let the Commission know that he did **not** receive notice about the Public Hearing.

Mr. Milbranth again addressed the Commission briefly stating his purpose for the application to rezone. If the property is indeed zoned PB, it will allow the seller to market the property. Then the buyer will still need to come before the Plan Commission to zone, etc. He feels that the rezoning will enhance the neighboring properties. He also stated that this is Duneland Youth Baseball Association's initial step.

The Public Hearing was opened at 8:05 p.m.

There were no persons present to speak in favor of the petition.

There were 10 persons present that wished to speak against the petition (*because these statements are somewhat lengthy and hard to hear, refer to the tape for exact wording, names and addresses of residents*):

Mr. Norman Tapper

Mr. Bruce Neipokoj

Mr. Joseph Goysich

Mr. Hector ?

Mrs. Carol Neipokoj

Mrs. Laura Crownover

Mr. Steve Neipokoj

Mrs. Constance ?

Mrs. Linda Schmidt

The Public Hearing was closed at approximately 8:38 p.m.

Mr. Childress stated that he thought the applicants should have had a plan when coming before the Plan Commission.

Mr. Bell stated that the vote would have to be a "stand up" vote – meaning that the Commission would have to vote for the application at hand. It could not be altered or changed at the public hearing.

Mr. Eriksson understood that by going with a PB rather than B-3 zoning, DYBA would receive less money. He asked Mr. Finner to consider not rezoning the R-1 acreage.

Mr. Mandon opinion is that it is not sensible to market property with a contingency. (*There was lengthy discussion between the Commission members. Refer to the tape for exact comments.*)

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Motion to forward the petition to the Town Council with a favorable recommendation was made by Mr. Lewis; second by Mr. Timm. Motion carried 4 – 3 via voice vote.

**J. Finding of Fact**

None

**K. Comments from Plan Commission Attorney**

None

**L. Comments from Plan Commission Secretary**

None

**M. Adjournment**

Motion to adjourn was made by Mr. Childress; second by Mr. Eriksson. Meeting was adjourned at approximately 9:05.

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Lorain Bell  
Chairman

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Kara Mitchell  
Secretary