

# **Minutes of the Porter Planning Commission**

## **November 14, 2001**

### **A. The meeting was called to order at 7:45 p.m.**

### **B. Pledge of allegiance**

Present: Mr. Liebert, Mr. Grasher, Mr. Bell, Mrs. Kozusek, Mr. Chemma. Absent: Mr. Eriksson, and Mr. Whisler. Quorum was established. Also present: Mr. Mandon and Mr. Zaremba

### **C. Consideration of minutes from previous meeting.**

Approval of the minutes of the October 17, 2001 meeting postponed to the December 19, 2001 meeting, as there was a lack of majority able to approve.

Motion to hold approval of the October 17, 2001 meeting minutes to the December 19, 2001 meeting for consideration by Mr. Bell; second by Mr. Liebert. Motion carried 5-0.

Mr. Mandon requested that Tony Ello be placed on the agenda for consultation regarding adding to his current business (Franklin Food Mart.) The board agreed.

### **D. Audience Participation**

None

### **E. Final Approvals**

**Fox Chase Development, Summertree:** Minor modification to PUD: Mr. Mandon indicated the petitioner was not ready and still waiting on final plats. The board agreed to carry the matter over to the December 19, 2001 meeting.

Mrs. Kozusek questioned that the town may have the need to review the elevations on the work done, and can the town recoup the engineering costs. Page 100 of current zoning ordinance, paragraph 2 (Conditions and Guarantees) stated the town has a right to choose which engineer will approve elevations and that it will be the responsibility of the developer to pay the costs. Mr. Bell indicated his concern that the situation be investigated. Mr. Mandon agreed to check the subdivision ordinance as well.

Motion to move Final approval to the December 19, 2001 meeting by Mr. Bell; second by Mr. Liebert. Motion carried 5-0.

### **F. Preliminary Hearings**

None

### **G. Public Hearings:**

**Draft Zoning Ordinance:** Public Hearing re-opened at 7:47 p.m. There were no narrative comments. The Public Hearing will be re-opened for one additional meeting. Final comments will be made at the December 19, 2001 meeting.

Motion to continue the Public Hearing on the Draft Zoning Ordinance to the December 19, 2001 meeting by Mr. Bell; second

by Mrs. Kozusek. Motion carried 5-0.

## **H. Other Business:**

1. Council Member Kathryn Kozusek has been appointed to the Planning Commission to fill the vacancy left by Mary Powell.
2. Tony Ello, Franklin Food Mart: Owner would like to install gas pumps on his property and wanted to query the board regarding procedure. Mr. Mandon indicated that in C-2 zoning, pumps are allowed. Area is currently R-2, but would become B-2 under the new zoning ordinance. Mr. Mandon suggested C-2 rezoning of the property. He stated obtaining a use variance for the property would be more difficult to approve, and that a C-2 rezoning would be consistent with the Comprehensive Plan if approved.
3. Notification procedures regarding the Draft Zoning Ordinance: Current Rules and Procedures state adjacent property owners must be notified. At this time, all zoning is being reviewed. A legal advertisement should be necessary to comply with proper notification. Mr. Mandon indicated a revision to reflect notification changes would need to be written and approved at the December 19, 2001 meeting. Mr. Mandon agreed to write the revision.

## **E. Adjourn**

Motion to adjourn by Mr. Bell; second by Mr. Liebert. Motion carried 5-0. Meeting adjourned at 8:35 p.m.

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Eugene Chemma  
President

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Lisa M. Liebert  
Secretary