

Minutes of the Porter Plan Commission
April 26, 1999

A. The meeting was called to order at 7:07 p.m.

B. Pledge of allegiance

Present were Mr. Eriksson, Mr. Donley, Mr. Whisler, Mr. Bell, Mr. Bernth, and Mr. Chemma. Absent was Mr. Grasher. Quorum was established. Also present were Mr. Kennedy, Mr. Mandon, and Mr. Powell.

C. Consideration of minutes from previous meeting.

Motion to approve minutes as written of previous meeting was made by Mr. Bell. Second by Mr. Bernth. Motion carried 6-0.

D. Audience Participation

There were no comments from the audience.

E. Old Business

Review of the Plan Commission Rules and Procedures: Mr. Mandon reviewing changes in the wording of the Rules and Procedures. The following issues were discussed and agreed upon:

1. **Article IV, Section 1 (Meetings)**: A change was noted in the paragraph to read, "If the date of a regular meeting falls on a legal holiday, or if it is impossible to conduct the meeting at that time or place, the President shall set an alternate date, time, or place for the regular meeting, or may cancel the meeting with the unanimous consent of the members of the Commission who are present, provided that the notice requirements of IC 5.14.-1.5 are complied with."
2. **Article IV, Section 2 (Dockets)**: Mr. Mandon suggested an elimination of the codes currently in use to file petitions. A change was noted in the section to read, "...shall be numbered sequentially and placed on the docket of the Commission. The docket numbers shall begin on January 1st of each year." An example of docket assignment as 99-1 shall represent the first petition heard in 1999.
3. **Article IV, Section 3 (Agendas)**: The changes suggested for paragraph two of this section are as follows: "The agenda shall be sent by first-class mail to all members of the Commission and shall be available for public inspection at the Office of the Town Clerk no less than 3 business days prior to the scheduled meeting. Changes to the agenda may be accepted by the President no later than 3 days prior to the scheduled meeting."
4. **Article V, Section 3**: The wording of "Zoning matters" was changed to "matters."
5. **Article VII, Section 2**: The title of the article needs to be amended to read "Filing of Petitions." A change was noted to have the section read, "A petitioner who seeks to vacate a lot, amend the zoning ordinance, subdivision ordinance, comprehensive plan or other matter under the jurisdiction of the Commission shall file a petition with the office of the Clerk-Treasurer on behalf of the Commission. Ten copies of the petition, application, or plats must be filed at least ten calendar days prior to the next regularly scheduled Commission meeting at which it is to be considered."
6. **Article VII, Section 3**: A change was also made to the schedule of fees to include Rezoning, Comprehensive Plan Change, and Site Plan Review.
7. **Article VII, Section 6**: The last sentence of the section was amended to read, "Prior to the commencement of the public hearing, the petitioner shall provide proof that he or she has complied with this requirement."
8. **Article VIII, Section 2**: A change was noted to not name a specific newspaper for notice publication of meetings.

The change should read, “These notices shall be placed in the Clerk’s Office at the Town Hall and the Hageman Library, and published notice shall be in the newspaper designated by the Town Council.” The same change was also noted for Section 3.

9. **Article XII, Section 2 (Plat Approval):** The language has been amended to include “approved financial instrument” to continue on with final approval procedures.
10. **Amendments:** Change to read, “The suspension of any rule may be ordered at any meeting by a unanimous vote of the members present.

Mr. Kennedy noted there need to be changes made to make the Rules and Procedures consistent throughout, and to make them comply with state statutes. Mr. Kennedy will discuss internal and legal consistencies with Mr. Mandon to be ready for review at the next meeting.

A motion was made by Mr. Bernth to make a recommendation to the Town Council on April 27, 1999 to approve the changes in Article VII regarding fees on the Rules and Procedures reviewed. The second by Mr. Eriksson. A vote was called: Mr. Bernth – Yes, Mr. Eriksson – Yes, Mr. Bell – Yes, Mr. Donley – Yes, Mr. Whisler – Yes, Mr. Chemma – Yes. Motion carried 6-0.

A motion was made by Mr. Bell to table the document until next scheduled meeting to allow time for review of consistencies in accordance with statutes. The second by Mr. Bernth. Motion carried 6-0.

E. New Business

Sketch Plat Review: Mr. Terry Heistand present on behalf of Mrs. Dorothy Ragsdale, 201 Detroit Road, for a Minor Subdivision.

Mr. Bell questioned the use of a common driveway for both residences. Mr. Heistand clarified the drive would not be shared, the driveway for the vacant area would be accessed from Clarke. Mrs. Ragsdale has access to her own residence from Cedar Street.

Mr. Bernth questioned the utility access for the vacant area. Mr. Heistand and Mrs. Ragsdale clarified that currently the utilities to her own residence extend from Cedar Street, and the utilities for the vacant area will extend from Clarke. Mr. Donley questioned the location of the utility lines, whether overhead or buried. Mrs. Ragsdale indicated they are overhead, but Mr. Heistand suggested the utilities would most likely be underground to the vacant area.

Mr. Powell expressed the concern about drainage in the area. The petition will need to be reviewed more closely by the Town. Mr. Powell informed the board that subdividing this particular parcel would not affect the drainage problem in the area, but that the concerns surrounding drainage and easement need to be addressed.

Mr. Mandon questioned Mr. Powell’s satisfaction with the way the lots will be accessed. Mr. Powell indicated yes, and that this is most likely an improvement overall.

Mr. Mandon suggested the matter be tabled until the next meeting to review and research the drainage and easement issues to make a recommendation to the board at the next meeting.

Mr. Heistand pleaded with the board to not continue this issue until the next meeting as time is essential to Mrs. Ragsdale in moving forward.

Mr. Bernth questioned Mr. Kennedy about the ability to offer Sketch Plat approval contingent upon details being negotiated. Mr. Mandon indicated there was not enough time to review the issue prior to the meeting, and that it needs to be investigated further.

Mr. Bell presented a motion to table the issue until the next meeting for extended review by the town. Second by Mr. Whisler. Motion carried 5-1, Mr. Donley opposed.

Preliminary Discussion: Terry Heistand present on behalf of William and Rita Bennett, petitioners requesting rezoning property located at the southeast corner of Highway Street and Lake Charles Avenue, currently zoned C-3. The petitioner is requesting re-zoning to construct Multi-family; single-story units with attached garages.

Mr. Mandon recommended the board moves forward and set the issue for public hearing at the next meeting. He requested the petitioner fill out an application at the Town Hall.

A motion was made by Mr. Eriksson to set the issue for public hearing at the next regularly scheduled meeting. The second by Mr. Donley. Motion carried 6-0.

Introduction of Preliminary Draft of the Master Plan: Mr. Mandon present to introduce the Master Plan and it's first preliminary draft. Several hearings and public meetings need to take place to construct a final complete document. Mr. Mandon indicated the purpose of distributing the draft is to review its accuracy and assumptions prior to having public input. The data has been gathered from 1990 census data.

Mr. Bell questioned the means utilized for Mr. Mandon's projections. Mr. Mandon indicated the data was retained from the schools, historical data, other municipalities equal in size, and growth data. Vacant and underutilized land were also considered. Additional annexation also needs to be taken into account.

Mr. Mandon recommended review of the document for at least 30 days for accuracy and assumptions. The document is missing recommendations of thoroughfares and maps. Mr. Mandon also suggested the progression of adjusting and implementing the Master Plan. He suggested discussing existing land use maps at public hearings, and that small groups need to form to help foster interest from the public to receive their input. He stressed it was important for the public to be aware, and to participate in the plan's development. A recommended land use map needs to be completed, but should only be complete after the public has had an opportunity to give input.

Mr. Bernth suggested meeting more frequently to work on the Master Plan, perhaps the 2nd and 4th Monday's of each month to be utilized as workshops until it's completion. It was suggested that any discussion regarding the Master Plan be placed as a special item at the end of the agenda. The public will have access to review the document at the Town Hall.

G. Adjourn:

Motion to adjourn by Mr. Donley. Meeting adjourned at 8:50 p.m.

Eugene Chemma
President

Lisa Liebert
Secretary