

**Town of Porter
Plan Commission
Meeting Minutes
May 18, 2016
5:30 p.m.**

- A. Meeting was called to order at 5:34 p.m.
 - B. Pledge of Allegiance
 - C. Roll Call/Determination of Quorum
 - Present: Eriksson, Wagner, Brueckheimer, Timm, Rojas,
 - Also Present: Ms. Sufana, Mr. Mandon, Ms. Frost, Mr. Barry
 - Absent: Spanier, Waechter-Versaw
 - D. Quorum-There are enough present for a quorum.
 - E. Consideration of Minutes from April 20, 2016 meeting
 - Mr. Wagner made a motion to approve the minutes from the April 20, 2016 meeting,
 - Ms. Brueckheimer seconded.
 - Motion approved 5-0
 - F. Audience Participation-NONE
 - G. Old Business- NONE
 - H. Preliminary Hearing-
 - I. Public Hearing-
 - Fox Chase Development
 - Todd Leeth representing Fox Chase Development
 - Requesting second replat of Summer Tree PUD and amending PUD Ordinance
 - Mr. Leeth states that through the efforts of Mr. Nolan, representing the Summer Tree Association and himself they have reached an agreement with principle. They are doing that through a supplemental declaration. The two issues are roads issues. The private road to the rear of saddleback, that will be used as a driveway for 4 of the two units, was platted as a private road. Mr. Leeth thought the Town maintains it and the Town does not. The logical thing would be to maintain it through the new home owners who use it. The other issue is the milling and resurfacing in Section 10A of the Ordinance. There are 4 laterals there all ready and they are going to use them to tie into the sewer so there should not be any road cuts. Mr. Leeth would like to have Section 10 A from ordinance.
 - Public hearing opened at 5:43 pm-Mr. Nolan, representing Summer Tree POA, comments they have come to a written agreement in principal and recommends that the board forward this to the Town Council with a favorable recommendation. There was no one in audience opposing.
 - Public hearing closed at 5:44 pm
- Mr. Barry asks who is maintaining Tower Dr now. Someone needs to draft up some paper on who is to maintain it. Mr. Leeth comments he thinks it is being maintained by the computer specialists who use it for a driveway.

Ms. Frost states you mention you have reached an agreement with the homeowners, Were there changes from the one submitted earlier. Mr. Leath states yes there is. Ms. Frost states that a recorded copy of the supplemental agreement should be turned into the Plan Commission before a building permit is issued.

Ms Frost is still concerned with that private road on a maintenance stand point. Mr. Leeth states a separate document to the homeowners who will have access to the road about the maintenance agreement.

Ms. Frost also gave a reminder about PUD Ordinance that since the development plan shows building envelopes, you are required to file a detailed development plan showing the building footprint prior to starting building.

Ms. Frost also suggested that a copy of the recorded document which vacates the existing commercial covenants for this property should also be filed with the Plan Commission before a building permit is issued.

Motion was made by Ms. Rojas to make a favorable recommendation to send to Porter Town Council contingent on the following:

- The last sentence of Section 10A of the proposed Ordinance is revised to read as follows: "This may require cutting the street to construct them, after all construction is complete and repaired the roadway will be milled and overlayed to a thickness required by the Town, or resurfaced to Town of Porter standards, as the Town may require, from Waverly to Saddleback Lane on Summer Tree Dr."
- A recorded copy of Supplement Declaration of Covenants bringing the Property into the existing POA must be filed with the Plan Commission before any building permit is issued.
- "Filed" stamped copy of the recorded vacation document vacating the existing commercial covenants on the property must be filed with the Plan Commission before the first building permit is issued.
- And last a "filed" stamped copy of the recorded easement document providing for use and maintenance of the private road before the first building permit is issued.

Mr. Timm seconded the motion.

Motion passed 3-1 Mr. Wagner voted against.

J. Final Hearing-NONE

K. Findings of Fact-NONE

L. Other Business-

Update from Attorney-

Board Comments-

M. Mr. Wagner made a motion to adjourn meeting at 6:18 p.m. Ms. Rojas seconded the motion.

Motion 5-0

The next regular meeting will be held on June 22, 2016

Jim Erickson Date 7-20-16
President

Jammie Defuria Date 7-20-16