

**Town of Porter  
Plan Commission  
Meeting Minutes  
March 16, 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, Spanier, Wagner, Waechter-Versaw, Brueckheimer, Timm, Rojas,  
Also Present: Ms. Sufana, Mr. Mandon, Ms. Frost, Mr. Barry
- D. Quorum-There are enough present for a quorum.
- E. Consideration of Minutes from February 17, 2016 meeting  
Mr. Wagner made a motion to approve the minutes from the February 17, 2016 meeting, Mr. Timm seconded.  
Motion approved 7-0
- F. Audience Participation-NONE
- G. Old Business- NONE
- H. Preliminary Hearing-NONE
- 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 explains that Fox Chase Development was the original developer of Summer Tree Development. Fox Chase would like to amend the PUD one more time Lots 1-4 and part of lot 25. Those five lots will be divided into nine lots. They will each have duplex's on them so it will be 18 homes. They have put together an ordinance to amend the 1995 ordinance that created the Summer Tree community and these lots were withdrawn from that and designated commercial lots. And what this ordinance does is turn them back to residential so we can do the plan. Charlie Ray, from Duneland Group, he is the preparer of amended plan and the plat. The amended plan goes with the ordinance and gives a visual of what the narrative says. The plat is a simple survey that describes in legal terms the land that will become those nine lots and will be recorded. Since the last meeting they have been in contact with HOA and board attorney to go over paperwork. They have made some changes with the ordinance and submitted that. Mr. Nolan (Summer Tree HOA attorney) provided a letter about their discussion earlier today. Mr. Leeth would like to think that they have an opportunity to do something that they were not planning on doing 30 days ago. Reach an agreement that the new development would join existing association for most all reasons. Fox Chase would like to reserve the opportunity to protect those 18 homes from the reserve established by the existing association because these homes will be much newer. If they can separate that one item he thinks they come reach an agreement. Right now they have an agreement to agree.

Public Hearing opened at 5:42 pm.  
In favor of proposal-NONE

Opposed- Connor Nolan, from Harris, Welsh, Lukmann representing Summer Tree HOA, handed out a letter that outlines his clients concerns with the proposal as it stands now. He has spoken to Mr. Leeth and they have an agreement to agree. The HOA would like a written agreement to use the detention pond. Also in the plan the new homes are to have two car garages but drawings show one car and the Ordinance states two car garages. They would like a guarantee on the plans. They would also like the ability to oversee lawn care and maintenance of new units or have the new units join association for sharing common area expenses, maintenance and upkeep. And another concern is the covenants Section 3.7.

Diana Shook, 216 Summer Tree Dr, has a problem with part of two homes on Saddleback. Saddleback is a very busy street.

Kathleen Garzella, 167 Fieldstone, agrees with Ms. Shook. We will have will have twice the cars there now. I agree they have to pay into our drainage. Parking is going to be a problem.

Theresa Blade, 217 Fieldstone, there is a lot of congestion in that area. Not sure how it is going to work. Is there an opportunity to reduce that number?

Mr. Leeth states that Mr. Nolans comments were what we discussed earlier in day. Hopefully can get the agreement, and documents amended before next meeting.

The only difference the new units would have would be the reserve assessment for repair of roofs and structures. The new units would pay the same as the others for lawn care, snow care, and debris.

Yes there will be more cars. This is a return to what was originally was recorded. Today we would have more traffic if it is used for what is zoned now.

Ms. Rojas made a motion to table until next meeting with public hearing open, Mr. Wagner seconded.  
Motion passed 7-0

Dan Corona, 158 Summer Tree, wants that strip on Saddleback investigated as to who owns it. Why not turn the buildings to the East and have them face Tower Road. The help relieve some of congestion. I am rather adamant about them joining our association so we can maintain what we already have.

Mr. Mandon states he thinks it is wise they are trying to merge them together.

Ms. Brueckheimer asks Mr. Leeth have you thought about turning them around. Mr. Leeth stating that in zoning language it called a double frontage lot and in zoning ordinances is restricted. Mr. Mandon suggests maybe turning just the garages around facing Tower Rd.

J. Final Hearing-NONE

K. Findings of Fact-NONE

L. Other Business-  
Update from Attorney-  
Board Comments-

M. Ms. Brueckheimer made a motion to adjourn meeting at 6:12 p.m. Mr. Wagner seconded the motion.

Motion 7-0

The next regular meeting will be held on April 20, 2016

  
\_\_\_\_\_  
President

Date 4/20/16

  
\_\_\_\_\_  
Secretary

Date 4/20/16