

**Town of Porter
Plan Commission
Meeting Minutes
November 19, 2014
5:30 p.m.**

A. Meeting was called to order at 5:38 p.m.

B. Pledge of Allegiance

C. Roll Call/Determination of Quorum

Present: Kremke, Timm, Wagner, Eriksson, Brueckheimer, Spanier

Absent: Mr. Wodrich

Also Present: Ms. Frost, Mr. Mandon, Ms. Sufana

D. Quorum-There are enough present for a quorum.

E. Consideration of Minutes from October 15, 2014 meeting

Mr. Eriksson made a motion to accept the minutes of October 15, 2014 as written. Mr. Timm seconded the motion.

Motion approved 6 -0

F. Audience Participation-NONE

G. Old Business-

Mineral Springs Villas, LLC

Amended Ordinance for review

Bill Fergren, attorney, representing Mineral Springs Villas, LLC

Also present was Bill Wegion on behalf of developer

Mr. Fergren is here in follow up to last month's meeting about the three changes to Ordinance for Mineral Springs Villas, LLC.

Mr. Fergren contacted Ms. Frost about the document and he wrote the draft of the Ordinance and had Ms. Frost incorporate the changes in draft.

The petitioners are looking for a favorable recommendation to forward on to the Town Council to approve.

They would attach the old ordinances to this as an exhibit. The changes are as Follows:

All structures be single family except lot 9-10. Types of structures to be one story, One and one-half story, and two story structures. Minimum square footage for single Story shall be 1,100 square feet, and the minimum square footage for one-half, and two story structure shall be 1,450 square feet.

Side yard setbacks for single story and one and one-half story shall be three feet. For a two story the side yard setback shall be a minimum of six feet from the principal use portion of the structure and three feet from the accessory use portion(i.e. garage)

The petitioner will provide a maintenance bond guaranteeing the streets until half the lots are sold.

The petitioner shall complete striping of the parking area and shall install signage.

Another change that Mr. Barry recommended was a storm water detention system

That shall be owned and maintained by the petitioner, their successors and assigns,

Until such time as the Homeowners Association is created when it will then be deeded to the Property Owners and they will maintain it through their assessment program as outlined in the Covenants recorded for Mineral Springs Villa PUD.

All streets in Mineral Springs Villas PUD shall be and are hereby declared to be public Streets owned and maintained by the Town of Porter, subject to the conditions set Forth.

Mr. Fergren received a report from K&S in October and we sent it to Haas & Associates to review. Attached will be the report. Haas recommendations to Town of Porter are as follows: Seal all the cracks in the streets, apply a asphaltic fog seal over the entire surface of the streets, and provide a 5 year maintenance bond valued at the cost of milling and paving the streets \$33,180. The petitioners have some difficulty with this they prefer the bond go until 50% complete like originally talked about. The crack seal and asphaltic not sure when those can be done with the weather but with weather permitting it will be done.

Mr. Mandon said we recommend that we keep the bond language the way it was discussed at the TAC. The crack sealing and asphaltic seal needs to have a time limit for it to be done.

Ms. Frost said the Plat will have to be amended and we will need a cleaned up drawing. The covenants also need to be corrected also.

The Ordinance needs to include an end date for the sealing's to be done.

Brenda questioned how we approve the Ordinance with the changes before it goes to Council. You make it conditioned for before it goes to Council. Ms. Frost said it could be delegated to the President to approve to forward.

Ms. Brueckheimer made a motion approve said Ordinance along with the crack sealing and asphaltic be completed by the end of June 2015. Once the changes are made and the Ordinance is reviewed by John Kremke and Michael Barry before it is forwarded to Town Council. Mr. Wagner seconded the motion.

Motion 5-1 Mr. Timm was against.

Ms. Brueckheimer amended her motion to include that Plat with the recorded changes has to come back for the January 2015 meeting. Mr. Wagner also agreed to the amended motion.

Motion 5-1 Mr. Timm was against
Favorable motion.

- H. Preliminary Hearing-NONE
- I. Public Hearing
- 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 6:00 p.m. Mr. Timm seconded the motion.

Motion 6-0

Next Meeting will be held on December 17, 2014

 _____ Date 12/17/14
President - Vice

 _____ Date 12-17-14
Secretary