

Minutes of the Porter Plan Commission

February 20, 2002

A. The meeting was called to order at 7:50 p.m.

B. Pledge of allegiance

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

C. Consideration of minutes from previous meeting.

Approval of the Minutes from the January 2002 meeting tabled to the March 2002 meeting.

D. Audience Participation

Sheryl Newman, 300 Franklin Street: Resident was concerned about neighboring property on Francis that is abandoned and without any upkeep. Matter was referred to the Building Commissioner who assured the resident the matter was being investigated and that he will be in contact with the owner.

E. Final Approvals

None

F. Preliminary Hearings

Request for Subdivision Approval, Porter Park, Lake Erie Land Company: Charles Howard of Howard Engineers, Inc. present on behalf of petitioner. Mr. Howard presented petition by LEL for 10-lot subdivision on the eastern quadrant of intersection of U.S. Route 20 and S.R. 49. The Porter County Visitor Center has agreed to relocate to Lot #1 of the subdivision if the petition is approved. Discussion included road cuts, traffic safety, and name of the development, drainage, and sewage. These issues will be discussed at the TAC meeting after new covenants are written for the new uses and a new traffic study is completed.

Motion by Mr. Whisler to send petition to Public Hearing at the March 20, 2002 meeting; second by Mr. Eriksson. Motion carried 5-0.

G. Public Hearings:

Petition to Re-zone, Franklin Food Mart, 29 Franklin Street: Petitioner Tony Ello present to speak on the issue. Mr. Ello presented his request to the board. Mr. Zaremba recommended the Planning Commission suspend the notification rules for this hearing as the Town has not made the necessary signs to comply with public hearing requirements. The attorney will verify advertising and other documentation.

Motion by Mr. Eriksson to suspend that portion of the rules; second by Mr. Grasher. Motion carried 5-0.

Public Hearing opened at 8:40 p.m. Mr. Chemma requested comments from proponents of the petitioner's request.

Following is a listing of residents and a summary of their comments:

1. Andrea Ello, 1543 Candlewood Court, Chesterton: wants the convenience.
2. Sheryl Newman, 300 Franklin Street: important to encourage in-town business development and wants the convenience.
3. Mitch Jones, 103 Beam Street: wants the convenience of not having to visit the truck stops.

Mr. Chemma requested comments from opponents to the petitioner's request. Summaries of the resident's comments follow:

1. Douglas Leicht, 110 Wagner: concerned about fumes, spills, and traffic issues.
2. Robert Moss, 48 Lincoln: concerned about vacating Busse Road if Mr. Ello buys property next door. Mr. Mandon informed the resident that was not part of the request.
3. Mr. Bigger, 102 Franklin: concern regarding traffic and safety.
4. Linda Broolsma, 111 Franklin: concern regarding traffic.

Mr. Ello indicated in a final statement that he has no plans at this time to purchase the neighboring property. He stated the neighboring property is currently zoned for use as a fuel station. Mr. Ello also stated vapor recovery on tanks takes care of fuel fumes.

The Public Hearing was closed at 8:52 p.m.

Mr. Mandon stated through his staff report that adding pumps to the site would not increase traffic dramatically. He recommended approval of the request, as it will help to bring property into downtown commercial zone.

Motion to forward favorable recommendation of the request to the Town Council by Mr. Liebert; Second by Mr. Grasher. Motion carried 4-1. Mr. Eriksson voting against the request. A letter will be sent to the Council with a favorable recommendation.

E. Other Business

1. Paul Childress, consultation regarding possible PUD, Splash Down Dunes: Mr. Childress presented his 5-year business plan to the board. By switching to PUD and completing the PUD process right now he can follow plan later without visiting the Planning Commission unless substantial changes and modifications are made to the approved PUD. Mr. Mandon recommended waiving the fee for application because the Town initiated the zoning change and that it is done as part of the zoning map change.
2. William Ricard, land use determination, childcare home at 291 Waverly Road: Residents concern is that he is operating out of a secondary building on the property, not the primary residence. Mr. Mandon indicated the state statute on this usage says the business must be in the primary residence. The issue was tabled to the March 2002 meeting to enable Mr. Zaremba to investigate the legalities of the issue.
3. Discussion on Draft Zoning Ordinance: Mr. Mandon will make minor changes. Motion to forward the Draft Zoning Ordinance to the Town Council with approved changes and recommendation for approval by Mr. Eriksson; second by Mr. Whisler. Motion carried 5-0.
4. Discussion of Draft Zoning Map: Changes to be brought to special meeting to incorporate at one time. Possible dates for the special meeting will be Wednesday, March 6, 2002 or Wednesday, March 16, 2002 at 6:00 p.m. depending on space availability.
5. Discussion, comment, and re-approval of Comprehensive Plan: Motion to re-approve Comprehensive Plan without changes by Mr. Liebert; second by Mr. Eriksson. Motion carried 5-0.
6. Update on zoning and sidewalk issue for West Oak Place: Issue tabled until the March 2002 meeting.

E. Adjourn

Motion to adjourn by Mr. Whisler, second by Mr. Liebert. Meeting adjourned at 10:55 p.m.

Eugene Chemma
President

Lisa M. Liebert
Secretary