

Plan Commission Meeting Minutes

June 14, 2017

7:00 p.m.

Roll Call of Members

**Present:**

David Martin

Rusty Miller

Tim Fonderoli

Dennis Schrumpf

Glen Schwartz-absent

Stephen Zell

Aaron Culp-Legal Counsel

C.J. Taylor-Plan Director

Terri Strong-Recorder

**Absent:**

Jack Russell -present after roll

Chad Amos

1. Declaration of Quorum- President Zell declared a quorum with five members present. President Zell informed the petitioner of his rights.
2. Approval of Minutes-**Mr. Schrumpf made motion to approve minutes as submitted for May 10, 2017 meeting. Mr. Martin second. All present in favor.**
3. Public Comment-No comment from Scott Bockoski.

4. Old Business- None

5. New Business

**Docket# PC-0617-004-AG**

**Petitioner: Doug Braly/Leading Properties, LLC**

**Property Address: 21955 Anthony Road (approximate)**  
**Cicero, IN 46034**

Purpose: To review sketch plan for a proposed major subdivision.

President Zell stated for the Board, will be looking at Article 5 in ordinance book. Start with comment from plan director. Mr. Taylor stated all notifications have been completed and are in packets. TAC review was done as well to prepare for this meeting.

Dwayne Sharrer with Wyatt Engineers, College Ave, Indianapolis representing Mr. Braly.

Petition is to convert 42 acres into 11 lots. 8 lots will have access from Anthony Road or Gilford Avenue. Three lots originally proposed to access thru private drive, based on County review petitioner decided to drop one lot to adhere. Lots 10 and 11 will become one lot allowing access thru private drive as allowed.

President Zell always concerned about drainage in area, see that the Isaac Jones drain will be used for drainage. Mr. Sharrer explained referencing drawing provided, that an arm of the Jones drain will be used and due to size of lots do not foresee issues especially with size of the lots President Zell also asked about road cuts. Mr. Sharrer explained each of the eight lots 1-8 would have county road access, and the other two share a lane. The county has given preliminary approval for this plan with further review from County Highway. President Zell asked if cost of homes/lots has been determined. Mr. Sharrer explained that it has not been determined as this point. Mr. Russell asked if secondary



buildings would be allowed. Mr. Sharrer stated covenants have not been determined completely. Discussion ensued on allowable accessory buildings. Question raised on the size of the frontage allowable. President Zell explained that final approval would be contingent upon BZA approval of requirements met. Mr. Sharrer also shared the Drainage Board asked for heavy ditch at corner to help with flow of water. Mr. Taylor addressed the detention pond question, lot 1 will have on the preliminary plat plan an area for detention pond if it is needed.

President Zell stated boards duty tonight is give nay or yay to proceed to major subdivision approval. Discussion ensued on road traffic. Hill area specifically and narrowness of road. Estimate of 30 cars in small subdivision.

Mr. Taylor requested that it be declared a major subdivision.

President Zell hearing no one against proposal, **declared the sketch plan be approved for the next steps of a major subdivision classification.** No formal motion needed. Details can be clarified at the Plan Commission office.

6. Plan Director's Report: C.J. Taylor gave report as follows:

- a) M/I Homes has received cost summary from United Engineering. They will be reviewing and getting back to Keith Bryant with United Engineering. Mr. Taylor stated he left the meeting feeling good about the details shared.
- b) Report was part of packet so some duplication. Office has begun saving all incoming documents electronically for ease of future access.
- c) Have been addressing non-compliant properties. So far, introducing ourselves and discussion situations and solutions has been positively received. Have not had issues as of yet to take further.
- d) Mr. Taylor thanked Dan Strong for his assistance in this transition period, has been and continues to be very helpful.
- e) Permit fees are on report, and C.J. is starting to do fence and smaller inspections as qualified to help save costs.

President Zell thanked C.J. for the detail. Also thanked Dan for his help and guidance over the last several months and with assisting C.J.

7. President's Report: Code Enforcement has been a concern. President Zell asked for a log from the Director on code enforcement and action taken, and to report on monthly basis. Examples were given of a dumpster and a freezer in a drive both on Morse Landing Drive. Discussion ensued on these issues. Purpose of bringing this up is due to the maturity of the subdivision and the ongoing remodel aspect of similar neighborhoods and do we have ordinance to address concerns. The summary/log from the office will help with direction and communication. Is there a need for addressing dumpster ordinance? Mr. Strong stated current ordinance is for new home sites. The POD ordinance was utilized in this situation.

8. Legal Counsel's Report:

- a) NRG permit for demolition. Waiting on Clinton County to sign off on acceptance of the debris. Being kept up to date thru the demo company.
- b) Feel in next few months going to be approached about solar panels. Currently there is no ordinance that addresses solar panels. Option discussed. Beck's is currently looking at. Mr. Taylor stated Beck's has reached out to Plan office, recommended a Land Use Variance. Mr. Culp stated has several variations to find the best fit for our community from other communities. President Zell asked if Land Use Variance was a time sensitive solution. Mr. Culp stated yes, and then to review an ordinance addition/modification for the future. Mr. Strong asked about the inspections of such fields, could their engineers sign off that items

meet requirements? Mr. Culp stated yes. There was a discussion on the need for timeliness for this addition to the ordinances.

9. Board Members comments:

Mr. Miller addressed a recent Town Council item regarding a fence in an easement. Mr. Culp clarified the legal details on the process of town property encroachment. Discussion ensued. Mr. Miller is proposing a clarification/amendment to the current ordinance. Mr. Strong explained his position from a plan commission perspective to be cautious on changing verbiage. There is an avenue for appeal currently and would want to be cautious about changing wording to encourage more awareness of appeal process and resulting in more concerns to go to Town Council. Mr. Russell suggested reviewing Noblesville or Westfield's wording for references. Mr. Miller expressed his concern is that the current wording is very "you cannot do", and yet it was approved, how to make the ordinance clearer. Mr. Culp will review and make a recommendation.

10. Next Planned Plan Commission Meeting:

**Wednesday July 12, 2017 @ 7:00 p.m.**

11. Adjournment: **Mr. Miller made Motion to adjourn. Mr. Fonderoli second. All present in favor.**

Signatures:

X 

President

X 

Secretary

Date: 6-14-2017

Location:

Cicero Town Hall  
70 Byron Street  
Cicero, IN 46034