

**TOWN OF NEWBURGH  
PLANNING COMMISSION MINUTES  
MARCH 4, 2013**

**MEMBERS PRESENT:** Kris Setzekorn; David Rice; Candi Burress; Anne Rust Aurand  
**ADMINISTRATIVE PRESENT:** Lori Buehlman, Town Manager; Chris Wischer, Attorney  
**GUESTS:** Jim Bryan and Bucky Honaker, American Legion Post

**CALL TO ORDER**

Mr. Rice called the meeting to order at 5:32 p.m.

**MINUTES**

Mrs. Burress moved to adopt the minutes as presented. Mrs. Aurand seconded and the motion carried.

**REPORTS**

**Staff**

For February, eight permits, netting \$295 in fees, for eight projects, with a total valuation of \$60,060, Ms. Buehlman reported.

The Sharon Place demo permit has been issued and the area was cleaned of debris in less than three days. Mr. Brown will bring in construction plans when he gets to the rebuilding stage.

**UNFINISHED BUSINESS**

**19 East Water Street**

Contractors continue to finish the interior of the East side. Installing a new roof now. Ms. Buehlman said she has not received any complaints about debris at the site.

**Simpson Barn**

The barn has been demolished and two dumpster loads of debris hauled away. The owner's children have been cleaning it up for her. Ms. Buehlman recommended giving her a little more time to complete the project, since the weather has been cold.

**Horses in the town limits of Newburgh**

Mr. Wischer has emailed an updated draft ordinance for this issue.

Mrs. McGuire raised the question of under which zoning classification(s) horses will be allowed. She recommended RL or Ag only, with 12,000 square feet minimum lot size.

Mr. Wischer asked for a motion to send the amendment to the Town Council, limiting horse ownership to no more than one horse per two acres of land. (An acre is about 4,000 square feet.)

Mr. Wischer said if limited to RL and Ag, owners would first have to request their land be rezoned, since currently there are no Ag or RL in town limits. Planning Commission would, per each request, send a recommendation to Town Council, who would send the matter for rezoning to the BZA.

He said RL could be redundant, because the proposed amendment limits lot size minimum to two acres per horse.

Mr. Rice said he would like to see the rezoning added to the amendment.

Mrs. Setzekorn moved to limit the areas where horses may be kept to RL and Ag. Mrs. Burress seconded the motion and it carried.

Mr. Wischer said the next step is a public hearing at the April Planning Commission meeting. He said he would notify the woman's attorney of the hearing.

**NEW BUSINESS**

**American Legion sign request**

Ms. Buehlman presented Mr. Bryan and Mr. Honaker for the American Legion Kapperman Post. The Legion would like to replace two signs on their property with one sign, but as the ordinance is currently written, she said she cannot issue the permit.

Mr. Honaker is the Commander of Post 44; Mr. Bryan is the 1st Vice Commander.

Mr. Honaker said they would like to install an electronic sign that can be changed. The one sign they have now is difficult to change because it is so high up. The other sign, at Sharon Road and State Street, is often changed, Mr. Bryan said. An electronic sign could be changed from the inside of the building. It would be used to advertise events and would eliminate the two signs mentioned above.

Mr. Bryan mentioned the Legion recently served as a shelter for people involved in the tornado that hit Newburgh. They were only able to put up a few small signs letting people know the shelter location.

Mr. Wischer said the 2006 sign ordinance does not permit these types of signs. The Newburgh National Bank sign was approved by the BZA and it was questionable as to whether it was permissible under the ordinance. Ms. Buehlman said the Bank sign was approved in 2004.

He noted that the Planning Commission can recommend the addition to the ordinance of a special use permit received from the BZA.

Mrs. Aurand noted that the other two placards on the building are technically signs as well, even though they are identifiers.

She said she doesn't object to the new sign, except she worries that the other businesses in the area will also want electronic signage. She would not favor that.

Mr. Wischer said if the ordinance is amended, it would be for all future signage. The BZA can put restrictions on any sign it approves. He said Plan Commission only starts the process by making a recommendation to amend the ordinance to Town Council. Town Council is the governing body that amends the ordinance.

Mrs. Setzekorn asked to table the issue so members can consider the ramifications. Mr. Wischer said he would develop the amendment proposal and email it to the Commission.

Mrs. Burress moved to direct Mr. Wischer to develop the amendment language and to restrict the spread of electronic signage. Mrs. Aurand seconded the motion and it carried.

#### **ANNOUNCEMENTS**

##### **Petitions and Comments**

None

#### **ADJOURN**

Mrs. Setzekorn moved to adjourn at 6:11 p.m. Mrs. Burress seconded and the motion carried.

 1/4/13 

Chair

Recorder