

**TOWN OF NEWBURGH  
PLANNING COMMISSION  
MINUTES JANUARY 5, 2015**

**MEMBERS PRESENT:** Candi Burress; Hap Hanson; Jim Moore; Anne Rust Aurand; Kris Setzekorn; Josh Claybourn

**ADMINISTRATIVE PRESENT:** Chris Wischer, Town Attorney; Lori Buehlman, Town Manager

**CALL TO ORDER**

Mr. Moore called the meeting to order at 5:35 p.m.

**MINUTES**

Mr. Claybourn moved to accept the minutes as presented; second by Mr. Hanson. Motion carried.

**REPORTS**

**Town Council Liaison**

Mrs. Aurand recommended the Commission delay reorganization (election of officers, etc.) until after the Town Council acts on the nomination of Mrs. Burress and Mr. Hanson for another term on the Commission.

**Staff**

Ms. Buehlman said for December, six permits were issued for six projects; \$425 was collected in fees; and the property valuation was \$23,030. For 2014, she said 180 permits were issued for 120 projects; \$9,680.74 collected in fees; for \$1,107,598.42 property valuation.

**Town Attorney**

Since there is interest in the Williams and Grim properties, Mr. Wischer recommended reestablishing the Site Review Committee to look at the technical issues involved in commercial development. The committee reports to the Commission and is comprised of five to seven people who would review the code concerning the effects of proposed commercial developments, such as traffic, trees, public view, public safety, buffering landscape, efficient use of site, entrances and exits, and architectural integrity. Plans would be submitted to the Site Review Committee to be sure they meet the code criteria, he said. Several people were mentioned as possible members for the committee. Mrs. Aurand asked if a list of previous members can be located.

Mr. Wischer recommended appointing the base committee right now: Town Engineer; Police Chief; Town Attorney; Town Manager; a member of the Planning Commission (Mr. Hanson volunteered to serve); and a Town Council representative. Membership on the committee is an annual appointment, Mr. Wischer said.

Mrs. Setzekorn moved to reinstitute the Site Review Committee. Mrs. Burress seconded the motion and it unanimously carried. Mrs. Aurand will take the recommendation to Town Council at its next meeting for consideration.

Mrs. Aurand recalled the Planning Commission used to gather an hour prior to its meeting to tour properties under consideration or that might come before the Commission in the future.

**UNFINISHED BUSINESS**

Mr. Moore reminded Mr. Wischer to review the zoning code about the GUNS sign on State Street. Commission members are concerned the business may be too close to the school and church if the code requires measurement from property line to property line.

Mrs. Aurand said Town Council has discussed the property at State and Gray. Staff investigated the site's condition and a report is being reviewed by those involved. Mr. Wischer will ultimately receive the written report.

Mrs. Setzekorn asked if staff has inspected the property adjacent to the Titzer Funeral Home. Mr. Wischer said it has been inspected and found to be in adequate condition.

**NEW BUSINESS**

**Herrell/Kilinski Minor Subdivision at 511 East Main Street**

Ms. Buehlman said the application has been reviewed and is complete. William Bivens, engineer, represented the Herrells.

The Herrells propose to purchase 50 feet of property from their neighbor. No building is proposed for that plot. Mr. Bivens noted the ordinance calls for plans to represent one-inch per 50 feet scale, but this layout is larger.

Mrs. Aurand asked if the proposed section is landlocked. Mr. Bivens said the dashed line on the plans is the old property line, but the new section would be accessible. He explained this would not be a new lot, but a property line adjustment. This would be part of Lot 1. There is an adjoining second lot on the property.

Mr. Wischer said he reviewed the plans and compared them to the subdivision code. In large the plat meets code, he said, with these proposed revisions:

1. Property line dividing lot 1 and 2 does not include distance and angle information. Code requires.
2. The Commission can waive the 1-inch per 50-foot scale requirement. His is one-inch to 20 feet.
3. The name of the governing body is the Newburgh Planning Commission. It is not correctly stated.
4. The certificate of approval needs to be signed by the Commission president and attested by the secretary.
5. The plat needs to be reviewed by the Storm Water Management Board and the storm water plan approved by that body.
6. The president of the Storm Water Management Board must certify the board has approved the storm water plan. The certificate needs to be added to the plat.

Mr. Wischer said the Planning Commission has several options for consideration. It can waive a decision until after the storm water plan is considered or it can approve the application contingent upon approval of the storm water plan and waiver of the scale. If contingently approved, Mr. Herrell could go ahead and send out his notices to adjacent property owners once the storm water plan is approved. He said there are no site-related issues for this application, just cleaning up the plat. He recommended the Commission waive the scale requirement.

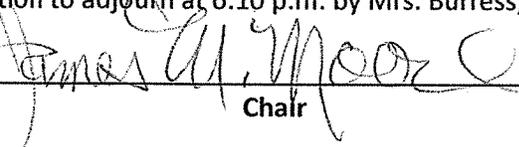
Mrs. Burress moved to approve the plat, contingent on storm water plan approval, correction of the items noted in the Town Attorney's letter of January 5, 2015, and waiver for the scale requirement. Mr. Hanson seconded the motion and it unanimously carried.

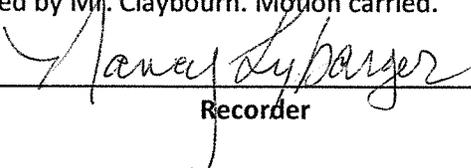
**ANNOUNCEMENTS**

Ms. Buehlman announced she has relocated to Ellerbusch Road, just outside town limits.

**ADJOURN**

Motion to adjourn at 6:10 p.m. by Mrs. Burress; seconded by Mr. Claybourn. Motion carried.

  
Chair

  
Recorder