

**TOWN OF NEWBURGH
PLANNING COMMISSION
MINUTES – SEPTEMBER 14, 2015**

MEMBERS PRESENT: David Wills; Rick Hornbeck, Anne Rust Aurand; Bill Bell; Tammy Timmel; Jason Brown; Tom Bodkin
ADMINISTRATIVE PRESENT: Chris Wischer, Town Attorney; Tonya McGuire, Town Council Liaison

CALL TO ORDER

Tom Bodkin called the meeting to order. Roll call was taken.

MINUTES

Tom Bodkin stated that the previous meetings minutes were sent out electronically and asked if anyone had any corrections. Motion was made to adopt the minutes as presented. The motion was seconded and the motion carried.

STATEMENT OF FUNCTION OF THE PLAN COMMISSION

Tom Bodkin stated that the Plan Commission is to be the initiating and/or reviewing entity for map amendments. Tom stated this committee is to be an advisory Plan Commission with regards to the matters of rezoning for map amendments, and the Plan commission does the initial hearing and makes the recommendation to Council. Tom stated that the decision to amend the map to change zoning is a Council decision, not a Plan Commission decision. Tom stated that in regards to changing the actual zoning code, those changes start and stay with the Plan Commission. Tom clarified that zoning changes can start with the Council and be sent to Plan, but the modification of the zoning code itself is the Plan Commissions responsibility to recommend to Council. Tom stated that there are some changes to the Town's zoning code that probably need to be made, and for these changes, the Plan Commission would hold a public hearing regarding the proposed code changes to the code itself, and then recommend the changes to Council for final approval. Tom stated that with regard to the platting of real estate, the Plan Commission is the final authority on plats. Tom stated that all plats must meet the Subdivision Control Ordinance, and if it does, the commission does not have much choice but to approve the plat.

REPORTS

Staff

Tom stated that a stop work order was issued today in the Overlook Subdivision due to the contractor not having the proper drainage or building permits.

UNFINISHED BUSINESS

BZA/Acting Zoning Administrator

Tonya McGuire stated that the Personnel Committee interviewed four candidates last week and the committee is hoping to have a recommendation for Council at the September 23, 2015 meeting.

Master Plan Update

Chris Wischer stated that he has been working on accumulating information for an RFQ, and he has looked at multiple other jurisdictions and he has found some good information. Chris stated that he does not have anything prepared at this time, and as the Town is in the process of hiring a new Town Manager and Zoning Administrator, he feels that it would be best to have these positions filled and have a discussion that includes these employees. Chris stated that before the next meeting, he would send out a rough outline detailing what would be included in the Master Plan so the commission could start the discussion of what should be included in the Master Plan at the next meeting. Chris stated that there are certain things statutorily that will be required and then there are other items that can be included for planning purposes.

NEW BUSINESS

Proposed Standardization of Time Line for Rezoning and Plats

Chris Wischer stated that he has been working on this but he does not have anything to present at this time. Chris stated that this comes down to time and how much time the staff needs to complete these tasks, and at this time, the Town does not have the staff to go over the time requirements with. Chris stated that he looked at Evansville's timeline and theirs is rather long. Chris stated that there is a certain balancing act here and the Town has always tried to accommodate the petitioners. Tom Bodkin asked the committee for their thoughts on how much time should be required for a zoning petition. Chris stated that there has to be time to make notice, so the timeline we need to look at is the time from when notices are given to the papers and abutting property owners, to the time it is presented to the commission. Chris stated that the public notices have to be published ten to twelve days prior to the meeting depending on the type of petition, and the paper generally requires a week notice for the publication. Chris recommended allowing

at least a couple of weeks for the petition to be reviewed. Anne Rust-Aurand suggested a due date of the 15th of the month prior to the meeting in which the petition will be heard. Anne questioned what has been done in the past and Tom replied and stated that there has not been any standardization in the past. Tom explained the basic requirements for publication to the commission and stated that two weeks may be a little short and a better time line would be three to four weeks. The question was asked if it could be as simple as if the notice is published by the 15th of the month, the petition would be heard at the next meeting, and if was published after the 15th it would not be heard until the following meeting. Tom answered yes it could be. Chris explained the process Evansville uses to the commission. The question was asked if ten days from the time the petitioner submits their request was enough time for the staff to process the request and get the public notice to the paper. Chris answered yes in most cases. Chris stated that what he had in mind is that once the Zoning Administrator has been hired, the commission works with them to create a proper time line. A time line recommendation was made that requests need to be filed by the first and published by the 15th to be heard at the next meeting, and even if it is filed on the 2nd and could be published by the 15th, it would not be heard until the following meeting and this timeline would be strictly followed with no exceptions made. Tom stated that the timeline would need to be looked at differently for plats because plats require more review than a simple zoning petition and would require more time. Tom suggested having a different timeline for plats than zoning petitions and Chris agreed. Tom suggested having Chris put together some ideas for the timelines and the commission could discuss those at the next meeting. The committee agreed that the timeline needs to be accommodating to the petitioner, but also allow adequate time for the staff to review.

Discussion – Updating Zoning Map

Chris Wischer stated that the Town's zoning maps needs to be added to the county GIS to make zoning information easier to locate and update. Tom Bodkin stated that CEI just needs to be instructed to bring the zoning map up to date because they are the ones who have completed this in the past. Tom stated that FEMA came out with new flood zone maps last year and this information needs to be update as well. Tom stated that the commission just needs to make a recommendation to Council to engage CEI to update the maps. Chris stated that he is looking into a few other options and would like to work with the county and use the same GIS mapping that they do. Tom advised Chris to look into those options and bring a recommendation to the commission.

Discussion – Updating Zoning Code

Tom Bodkin asked Chris Wischer if a part of his RFQ was going to include not only the Master Plan, but also potentially updating the zoning code. Chris answered and said that is a good question for the Plan Commission. Chris stated that the zoning code is a pretty big undertaking and his thought was that the focus would be on the Master Plan, and then that would lead into discussions on what needs to be done with the zoning code. Chris stated that it may be too much to take it all on at one time. Tom stated that the current zoning code was written in 1997 when the Town was in the process of annexing everything south of Highway 66. Tom stated that there are provisions in the code that are not applicable to the Town as it is today. Tom stated that the code, as it is written, creates a lot of lots in the Town that do not meet the zoning requirements. Tom discussed the residential lot requirements in reference to the building code with the commission. Tom stated that amending the zoning code is something he believes the commission needs to look at down the road. Tom asked the commission members to review the zoning code and start thinking of changes they would like to see made.

Discussion – 2011 Downtown Action Plan

Tom Bodkin stated that in 2011 the Town had a Downtown Action Plan created through consultants and approximately eighty percent of the plan has been completed, leaving twenty percent not completed. Tom advised the commission that the Action Plan was part of the materials that they received when they joined the commission. Tom encouraged the commission to read through the plan, become familiar with it, and begin thinking of anything that needs to be recommended to Council to further complete the plan. Tom stated that repaving the sidewalks is part of the plan that is underway at this time and it is his understanding that this will be completed in late September.

Naming East Entrance Road Leading to Neighborhood Grocery

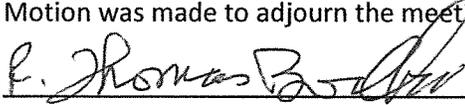
Tom Bodkin stated that a question was raised regarding the entrance road to the Neighborhood Grocery store as to who is responsible for naming it. Tom stated that by statute, it is the responsibility of the Plan Commission, however typically it is left up to the developer. Tom stated that he sees no reason to change this approach. Chris Wischer stated that normally the developer suggests the names of the new streets and that is generally what the names of the streets are. Chris stated that the developer did ask if the Town had a preference for the street name, but he has not seen any recommendations. Chris stated that this street will be a new public way running south from Highway 662. The Plan Commission agreed to allow the developer to determine the name.

Overlook Subdivision

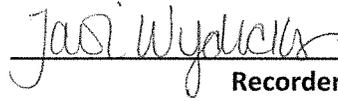
Tom Bodkin stated that the Town received a request today for an address to be assigned to a lot in the Overlook Subdivision. Tom stated that the Overlook Subdivision is located east of Town and is a four lot subdivision. Tom stated that this area started as an eight lot subdivision and was replated to a four lot subdivision. Chris Wischer asked which lot needed an address assigned and Tom answered and said lot 3, but none of the lots have been assigned an address. Tonya McGuire stated that to be consistent with State Street, the odd addresses need to be on the east side of the road. Motion was made to address the two lots on the east side of the road as one and three Overlook Court and the two lots on the west side of the road as two and four Overlook Court. The motion was seconded and the motion carried.

ADJOURN

Motion was made to adjourn the meeting. The motion was seconded and the motion carried.



Chair



Recorder