

Town of Newburgh
Plan Commission
Minutes October 3, 2016

Members Present:

David Wills, Bill Bell, Tammy Timmel, Tom Bodkin, Rick Hornbeck, Jason Brown

Administrative Present:

Christy Powell, Town Manager; Attorney Chris Wischer, Legal; Tavi Wydicks, Zoning Administrator; Tonya McGuire, Council Liaison

Members & Administration Absent:

None

Citizens Present:

Aaron Miller – Barrington Homes
Terri Hollander Albin & Dave Albin

Statement of Function of Plan Commission:

Tom Bodkin summarized the functions of the Plan Commission.

Minutes:

David Wills made a motion to approve the minutes.
Jason Brown seconded and the motion carried.

REPORTS:

Town Council Liaison:

Tonya McGuire stated that Town Council did approve the rezoning of Copper's Edge Estates P.U.D. at the last Town Council meeting. The property is now zoned R3 P.U.D.

Staff:

Tavi Wydicks stated last month there were 17 projects with a total value of \$145,731.00. There were 24 permits issued for these projects with a total of \$1,075.20 collected in fees.

Unfinished Business:

Master Plan Update Project status update

Chris Wischer stated they are still in the budget process. A draft budget has been submitted and a public hearing has been scheduled. The Master Plan is not, at this point, included in the budget and will have to wait until next year.

Tom Bodkin asked Mr. Wischer or the Town Council Liaison, Tonya McGuire, to report back to Town Council that the current Master Plan was written in 2001 and ends 2021. Mr. Bodkin stated that since the plan is over five (5) years old it has become a hardship on the commission, especially when dealing with rezoning issues (since they are required to refer to the Master Plan), that they are not given an opportunity to update the Plan. Mr. Bodkin stated that they understand budget concerns and Mrs. McGuire stated that Town Council is very aware of the fact. Mrs. McGuire stated that it was hard to pull the Master Plan from the budget but they will try to work it into the budget next year.

Mr. Bodkin urged commission members to communicate with the Indiana General Assembly regarding some of the things that they have done in the past five years that will make it virtually impossible for the commission to meet obligations by statutes. Mrs. Wydicks will remove Master Plan Update Project from the agenda.

New Business:

Copper's Edge Estates Plan Unit Development (P.U.D.)

Tavi Wydicks gave the staff report on the Copper's Edge Estates Plan Unit Development. P.U.D has a relaxed right of way width requirement and sidewalks on one side of the subdivision. All other regulations are adhered to and development plan is showing building envelopes. Indiana American Water and Newburgh Sewer will provide utilities. Mrs. Wydicks stated that she does have a passing letter from Indiana American Water but there is questionable capacity with sewer, but they are on the agenda for the October 10th Utility Commission Meeting. Christy Powell stated that it could be a conditional approval for the sewer capacity. Christy Powell gave an update on the drainage issue that could affect some properties in Jefferson Park.

Aaron Miller from Barrington Homes presented the plat petition. Mr. Miller stated that they have gone through all the drainage and zoning and are now looking for approval of the plat.

Terri Hollander Albin from 1079 Jefferson Court stated that she is not against the subdivision but they are concerned about the drainage. A discussion was had about the drainage issue and what was discussed at the last Storm Water meeting and Town Council meeting.

Mr. Miller stated he has an approved drainage plan. Mr. Miller stated that if there was an issue that it needs to be worked out between the homeowner and the developer. Mr. Miller stated there is nothing changing from the original plan that was approved by the Drainage Board. Mr. Miller stated that he has spoken with the homeowners and that if there is an issue, for them to contact him and he would work with them. If there was something that he did incorrectly that it would get fixed. Mr. Miller stated that he would go ahead with his approved plan and if the erosion control plan is to fail, that he would work with the drainage board, homeowners and the Town to get the issue fixed. Mr. Miller wanted to make it clear that he told the homeowners that he would assist with them on any problems they had but that he would not pay to fix any issues they currently have.

Tom Bodkin asked Mr. Miller to address the sewer issue. Mr. Miller stated that when he purchased the property he received a letter from the previous owner that he had sewer capacity.

Mr. Miller stated that he is looking at any option to make the drainage better as long as it does not dramatically affect him financially. Mr. Miller stated that if the homeowners behind are open to giving an easement for drainage, he believes he can help them better; but that it is not in his original plan. A discussion was had about the drainage board revisiting the approval.

Chris Wischer stated that one of the flaws in the process is that the drainage board approval process does not require, in the ordinance, notification of adjoining property owners. Adjoining property owners are notified when the plat goes before the Plan Commission, and the drainage board has already reviewed and approved the plan. Mr. Wischer stated that Evansville has recently changed their notification process in for this issue and he has sent the wording to Christy Powell and Tavi Wydicks to possibly change the process in the future.

Mr. Miller stated he is working with several agencies to fix the issues that are going on. He feels that what he is doing is fixing the issues and believes that if this is not done that the issue could get worse. Mr. Miller wants the board to know that he wants to move forward with this project and does not want to wait. He wants to move forward pending a sewer capacity and he is willing to work with the homeowners.

Terri Hollander Albin stated that at the drainage board meeting the committee members were concerned and did not feel like they had enough time to review the plans. Mrs. Hollander Albin stated that she would feel better if the subdivision plan was approved pending an additional review of the drainage plan. Mrs. Terri Hollander Albin stated that this was the first time they have heard anything about an easement and is not asking anyone to fix their problems, they would just like the plan reviewed again.

Tom Bodkin moved to grant primary approval of the plat subject to sewer capacity and all other infrastructure requirements. Tonya McGuire seconded, all in favor with one abstention.

Appointment Plan Commission member to Site Review Committee

Jason Brown moved to appoint Tom Bodkin to the Site Review Committee.
Rick Hornbeck seconded, all in favor, motion approved.

Discussion – Items of interest to any Plan Commission member

None

Items of Interest to any Plan Commission Member:

None

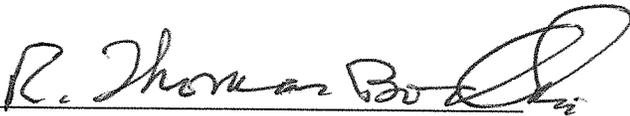
Announcements:

None

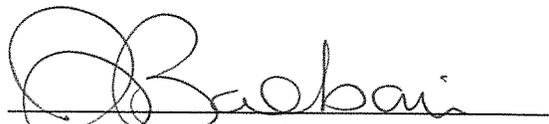
Adjourn:

Bill Bell made a motion to adjourn.
Jason Brown seconded and the motion carried.

Next Meeting will be November 7, 2016 at 5:30 pm.



Chair



Recorder