

PORTER COUNTY PLAN COMMISSION
Regular Meeting Minutes
August 28, 2019

The regular meeting of the Porter County Plan Commission was held at 5:30 p.m. on Wednesday, August 28, 2019 in the Porter County Administrative Center, 155 Indiana Avenue, Suite 205, Valparaiso, Indiana. Rick Burns presided.

Members present were: Ken Williams, Kevin Breitzke, Luther Williams, Laura Blaney, Nikky Witkowski, Mike Mirochna, Greg Simms, and Rick Burns. Bryan Damitz arrived after roll call. Also present were Robert Thompson, Kristy Marasco, Attorney Scott McClure, Kelly Cadwell, Helene Pierce, citizens, and representatives of the press.

MINUTES:

Kevin Breitzke made a motion to approve the June 26, 2019 regular meeting minutes as submitted. Laura Blaney seconded the motion. A voice vote was taken and unanimously carried 8-0.

COORESPONDENCE:

ZO-19-0037 – Attorney Todd Leeth requested a continuance to the December 4, 2019 meeting.

Motion: Laura Blaney made a motion to continue ZO-19-0037 to the December 4, 2019 meeting. Kevin Breitzke seconded the motion. A roll call vote was taken and unanimously carried 8-0.

OLD BUSINESS:

MJ-16-0088 – Petition filed by Alex Kazmierczak c/o Kazmierczak Estates Subdivision, North side of 100 South, west of 500 West, in Porter Township in the R1, Low Density Single-family Residential District. The petitioner is seeking an extension on a Primary plat. Mr. Alex Kazmierczak presented. The temporary address for the property is now 549 West 100 South. We are currently working on infrastructure and have had many changes; therefore, it is taking longer than originally expected. We respectfully request an extension.

Motion: Ken Williams made a motion to continue MJ-16-0088 to the January 2020. Between now and January the Members would like to see some progress done on the development. Kevin Breitzke seconded the motion. A roll call vote was taken and unanimously carried 9-0. (Mr. Damitz arrived during the case presentation.)

NEW BUSINESS:

MJ-18-0062 – Petition filed by Magnolia Meadows Subdivision, c/o Ed Recktenwall, South side of C.R. 550 North, east of C.R. 250 West, in Center Township in the R2, Medium Density Single-family Residential District. The petitioner is seeking Primary plat approval for the seventy-nine (79) lot residential development. Mr. Ed Recktenwall with Olthof Homes LLC presented.

The development has become a seventy-eight (78) lot residential development and we are moving forward with the R2, Medium Density Single-family Residential zoning; thus, making lots 11,000 square-feet and 80-feet wide. There are minor details still being worked out with engineering and storm water management. Utilities will be provided by Aqua and Indiana American Water.

Public Hearing:

Rick Burns asked if any of the public would like to speak in favor of or in opposition of this case. Rick Burns also asked that the public address their questions to the Plan Commission while at the same time the petitioner will take notes and respond at one time.

Mr. Nick Tokarz, 543 Hampton Manor Court, neighbor and President of the Tower Meadows Homeowner's Association questioned if a booster station will be used to help with drainage. Also, the speed limit in Tower Meadows is 20 mph but 30 mph is proposed for Magnolia Meadows. Can that be adjusted?

Mr. Larry Octinelli, 219 North 500 West, questioned where utilities were being brought in from and how doing so will affect his property.

Mr. Brian Buckwalter, 221 West 550 North, questioned what "Out lot B" is going to be, if trees are being removed, if there are any plans to upgrade 550 North, and how long the development is expected to take to build.

Mr. Jon Esola, 535-1 Hampton Manor Court, asked if the 12" east-west culvert that is between the Tower Meadows and Magnolia Meadows parcels be removed.

Mr. Ryan Wall, 535 Hampton Manor Court, asked who would be responsible for the maintenance of the easements.

Mr. Recktenwall's rebuttal:

- A booster station is required, and we are currently in talks with Indiana American Water as to where we can locate the station on our site. We are required to have the station installed before we are able to get services. We do have a service availability letter from them.
- We plan to extend water services from the northwest corner from Tower Meadows. Sanitary sewer will come from the southwest corner connection. Nipsco will come off C.R. 550.
- Outlot B is a detention facility for the site. There will be a fountain feature. The large tree will have to be removed to have enough room for the pond.
- We will be adding decel and accel lanes on C.R. 550.
- We estimate three (3) phases starting in Spring 2020 and continuing from there.
- The parcel is zoned R2 and that is what we are proposing.

- There are significant drainage flows around us. We will capture, contain and pass through our system. This will help Tower Meadows drainage issues especially on the east side. County Engineer, Mike Novotney, supported this statement noting as planned there will be a 2.9-foot reduction in the exiting depression area in Tower Meadows. As proposed, the Magnolia Meadows plan will significantly alleviate some of Tower Meadows drainage issues. There are minor concerns with significant and major improvements for the surrounding area.
- We will agree to a 20-mph speed limit.
- The 12” culvert won’t be needed and could be removed or may be modified. There will be a larger drain on the Magnolia Meadows parcel. This detail has not been determined yet. It will be further researched during the engineering stages as we get there in the process. We will work with the County Engineering Department to figure out exactly what is needed.
- Magnolia Meadows will have a Homeowners Association and they will be responsible for the common areas. Olthof Homes manages HOA’s differently than other developers. The HOA is effective with the first sale and a managing company manages the HOA. The HOA is set up in the beginning versus the end. The County Storm Water Management Board also recommends that the County maintain the actual basin.

The public hearing was closed, and question/comments were heard from the Members.

Q: To be clear, there are now 78 lots and not 79?

A: Yes.

Q: Is the out lot a dry detention pond?

A: No. It will be a wet basin with a fountain in it for aesthetics and have trails around it.

Q: Will the trails be accessible from the streets?

A: Yes. There is also a proposed external network along C.R. 550 to gain access. This paved trail is planned and will be put in with the development.

Q: Is there any possible way to save the Oak trees on out lot B?

A: We have looked at the options extensively and the required size of the detention pond will not allow it.

Q: Will the utilities be installed by phase or up front?

A: Storm water will be installed up front. Water and electric will be in phases.

Motion: Kevin Breitzke made a motion to approve MJ-18-0062 Primary Plat for seventy-eight (78) lot residential development. Nikky Witkowski seconded the motion. A ballot vote was taken and unanimously carried 9-0.

STAFF ITEMS:

Training: Mr. Robert Thompson advised he continues to work to schedule a training session for this Board.

Meeting Date Change: Mr. Robert Thompson advised the regular September 25, 2019 Plan Commission meeting will be held on October 2, 2019 due to budget hearings being scheduled that involve the Planning Department and due to council chambers being unavailable. Please mark your calendars accordingly.

ADJOURNMENT:

There being no further business, the August 28, 2019 Porter County Plan Commission meeting adjourned at 6:18 p.m.

Rick Burns, President

Attest: Robert W. Thompson, AICP
Director