

## December 7, 2006

The Ellettsville, Indiana Plan Commission met in regular session on Thursday, December 7, 2006, in the Fire Department Training and Conference Room located at 5080 West State Road 46. Frank Buczolich called the meeting to order at 7:45 p.m. asking for a moment of silence in remembrance of Pearl Harbor forty-five years ago and leading the Pledge of Allegiance.

**Roll Call:** Members present were Frank Buczolich, President; Ed Bitner, Vice-President; Don Calvert, Terry Baker, William Evans and Dennis Williamson. Sandra Hash, Secretary and Frank Nierzwicki, Director of Planning Services were also present.

### Approval of the Minutes

Ed Bitner stated there was an amendment made and words added to a section of minutes and then made a motion to accept the minutes for the November 2, 2006 meeting of the Plan Commission meeting as amended. William Evans seconded. Motion carried.

### New Business

#### Hasler Annexation

**Frank Nierzwicki** presented a petition for voluntary annexation. The property is two acres located at 312 Depot Road adjacent to the Wever and Burrell properties. They are requesting to have one parcel annexed into the Town; once annexed it would be zoned commercial C-3 matching the Wever property to the west. According to Ellettsville Utilities, public water and sewer is available near this site. The petitioner will have to hook on to the Town's water and sewer system. Before any additional commercial-residential activity could occur at this site, the Town Engineer and Director of Planning Services will review the on-site retention plan. The developer would also need to submit a grading permit for approval before any work could start on this site. No signs have been requested for this property. There are no added costs for the Town to annex this parcel. The required water and sewer hook on fees would cover the cost for extending service to this parcel. Police and fire protection are already in the area. The total assessed valuation of this parcel, with improvements, is approximately \$56,200. A map was provided with the Fiscal Plan to show the location of the property. The petitioner is aware of the cost associated with hook on fees. Frank Nierzwicki clarified this is one parcel with one owner. Dennis Williamson asked if there is a home on this property. Frank Nierzwicki replied there is a house located on this property and a road does go back to the house.

Ed Bitner made a motion we accept the Hasler Annexation as a C-3, as documented. Dennis Williamson seconded. Roll call vote: Frank Buczolich – yes; Ed Bitner – yes; Terry Baker – yes; Don Calvert – yes; William Evans – yes; Dennis Williamson – yes; Sandra Hash – yes. Motion carried 7-0.

### Privilege of the Floor – non Agenda items

**Ed Bitner** noticed a new electronic sign at Jack & Jill Daycare which was scrolling. He asked Frank Nierzwicki if he has found out anything on this. Frank Nierzwicki stated this sign has been on for a week or so. It has been passed on to the Town Attorney for immediate action. He met with the salesperson, Bob Holland, informing him of the “violation of the BZA and also the fact it does not have a sign permit”. Frank Nierzwicki reiterated this has been turn over to the attorney and he will handle it. There could be fines involved. Ed wanted to make sure something has been done since he made the report.

**Don Calvert** asked if there was any information on installing a light at the Fire Department or the intersection of State Road 46 and Arlington Road. Frank Nierzwicki stated there was a request for a warning signal in front of the Fire Station a year ago. INDOT turned down a request for the warning signal and trigger signal. A letter was signed by the Town Board President and sent. Frank Nierzwicki will speak with the Town Council President and see if he would sign

another letter. The letters are sent to the INDOT Seymour office; we have not heard anything back on the warning beacon. We could appeal all this to the Indianapolis office. Frank Nierzwicki stated it took eight months for INDOT to determine the stone from Bybee Stone was an eligible local donation.

**William Evans** has been on the Planning Committee for nine years. He does not know if he will continue the first of the year and wanted to say it has been nice working with everyone.

**Art Hayes** approached the podium to discuss “parallel to the street parking” in Kelli Heights. He spoke with Frank Nierzwicki regarding the study he did on the parking in Kelli Heights. Art researched the old ordinance and explained what it stated regarding minimum widths for concrete sidewalks, where they should be placed and other measurements of the shoulders. He feels this can not be done legally because the sidewalk would be blocked. Frank Nierzwicki has been looking at different options. There is not one option that would solve all the parking problems. Some areas in town could accommodate extended driveways with the set up of the home and others will not. In areas that have little or no options to extend driveways; one option could be a pull off leaving two tires on the street but that could affect the sidewalk issue. The reality of having sidewalks installed in all areas would be very difficult or impossible to do. There have been proposals brought up but nothing has been enacted or discussed. Art stated he is not talking about putting sidewalks in because the old ordinance did not require that. The new ordinance requires sidewalks and trees. He continued to speak about sidewalks, street parking and the Meadowlands. Frank Nierzwicki agreed to meet with Art to discuss his issues. Frank Nierzwicki announced he spent a lot of time with his assistant this summer measuring the streets in Kelli Heights trying to find streets wide enough for on street parking. He also had a discussion with the Fire, Police and Street Departments. Art Hayes spoke about the covenants in Kelli Heights from 1978 and Frank Nierzwicki stated “covenants are usually associated with people within a neighborhood but do not take precedence over Town Codes”. Terry Baker commented fire trucks and ambulances are getting bigger. Sandra Hash explained covenants and restrictions are agreements between the property owner and the developer. As a Town, we do not enforce covenants and restrictions we use our Town Ordinances. Art Hayes made a comment about the October 12, 2006 minutes regarding a restriction on the number of vehicles not people. Art Hayes would like on street parking rather than parallel to street pull off parking. The last point he made was, in his opinion, Bynum Fanyo being representative of both the Town and developer is a 100% conflict of interest.

## **Adjournment**

Dennis Williamson made a motion for the meeting to be adjourned. Terry Baker seconded. Motion carried. Meeting adjourned 8:26 p.m.