

July 2, 2019
Regular Meeting of the
Marshall County Plan Commission
112 W. Jefferson St. Room 203
Plymouth, IN 46563

MINUTES

President, Stan Klotz, called the Marshall County Plan Commission meeting to order at 7:30 p.m. on Tuesday, July 2, 2019, in Room 203 of the Marshall County Building. Present were: Commission Members James Berger, Craig Cultice, Stan Klotz, Bob Yoder, Jack Roose, Dan Voreis, and Dave Hostetler. Plan Director Ty Adley and interested parties. Members absent were Terri Barnhart and Matt Miller.

The first item of business was the review of the minutes from the May 23, 2019, meeting. **Mr. Hostetler moved and Mr. Berger seconded the motion to approve the minutes as corrected. The motion passed by acclamation.**

The second item of business was 19-PC-08 EADS, Marc & Teresa - A request for a one lot Minor Subdivision approval for Marc & Teresa Eads located at 10448 and 10484 Pretty Lake Trail, Plymouth, IN West Twsp., Zoned L-1. Mr. & Mrs. Eads were present to represent their request. Mr. Adley presented the findings of fact.

The applicant is seeking to purchase a portion of an adjacent lot and combine his total acreage together. The Subdivision Ordinance permits the administrative split and combination of Agricultural property, but due to the property being zoned Lake Residential, it requires the applicant to go through the Minor Platting process.

The recommendation of the Plan Director and Technical Review Committee is as follows: Based on the information provided Staff and TRC have no objection to the minor plat that will be in short adjusting the property line between two properties. Therefor staff and TRC recommend approval of the proposed plat.

When asked if the applicants had any comments, they expressed how important this is as they've not had a back yard before.

Mr. Cultice made a motion to open for public hearing, seconded by Mr. Roose. Motion carried by acclamation.

1. Mary Cullison – 10437 Pretty Lake Tr. Neighboring property owner is in favor of the request. They've been wonderful neighbors.

Mr. Roose made a motion to close the public hearing, seconded by Mr. Hostetler. Motion carried by acclamation

Mr. Berger made a motion to approve 19-PC-08 EADS, Marc & Teresa - A request for a one lot Minor Subdivision approval for Marc & Teresa Eads located at 10448 and 10484 Pretty Lake Trail, Plymouth, IN West Twsp., Zoned L-1 and pass to the Marshall County Commissioner's with a favorable recommendation, seconded by Mr. Roose. Motion carried with a voice vote 7-0.

2020 Proposed Plan Commission Budget

Based on the county council's recommendation the raise proposed was a flat rate. The raise rate proposed was a flat rate of \$1,500 per full time employee. There is a proposal of re-designation of funds from the Board of Zoning Appeals to the Plan Commission to cover violation legal fees. The amount proposed is \$4,000. For better record keeping the office would like to add a budget line item for training and move \$500 of the funds from Travel/Mileage to training. The vehicle maintenance fund shows an increase of \$500 at this time because we are still responsible to maintain our departments vehicles. With having an additional car for code enforcement/building inspections we felt the budget needed to reflect funding for maintenance of both vehicles.

Mr. Klotz questioned if the part time employees would also receive a raise or if the departments would have to adjust the hours worked. Mr. Roose wasn't sure at this time.

Mr. Yoder asked if the \$500 for training will be enough. Mr. Adley feels that it should be enough to cover costs.

Mr. Yoder made a motion to approve the proposed budget for 2020, seconded by Mr. Berger. Motion carried by acclamation.

Solar Permit Discussions

We've been in discussions with Jasper County, New Castle County Delaware, Madison County and Starke County regarding their solar ordinances and/or upcoming solar ordinances. The items discussed were property line setbacks, height, buffer yards and decommissioning.

Some of the board's concerns are the drainage tiles, bonds, who administers them, what if they file bankruptcy, etc.

Mr. Adley proposed to the board that he will try to address the boards concerns and bring back a proposed ordinance possibly in July, but more than likely in August.

Plan Commission's Attorney Ken Lukenbill resigns after 35 years

Mr. Lukenbill resigned from his position as the Plan Commission's attorney. He thanked the board for the honor to serve as the board's attorney.

Mr. Hostetler made a motion to accept Mr. Lukenbill's resignation as the Marshall County Plan Commission's attorney, seconded by Mr. Yoder. Motion carried.

Impervious Surface Coverage

The current ordinance reads:

Any construction which disturbs more than four-thousand (4,000) square feet of surface area must comply with the Marshall County Drainage and Sediment Control Ordinance.

The plan is to revise and establish when the impervious surface counts. It won't be per permit, but a cumulative effect. Rather than it being 4,000 per structure the proposal is once the ordinance is approved it will begin to accumulate the count and once it's over 4,000 sq ft a drainage plan will be required.

There's no plan to penalize those that already have significant coverage, but the date of approval of this proposed ordinance.

Mr. Cultice shared with the board what he's heard at the KRBC meetings. In the past it seems that the thought has been to get water off the farm ground, into the tiles, into the ditches, into the Yellow River and get it out of Marshall County as fast as you can. Listening to the people downstream and the studies they've done, they want us to hold the water back as long as we can. With these newer developments the plan is to put basins in to capture it, slow it up and release it slower to help the situations downstream. The flows of the river are increasing more so than the rainfall. They are contributing that to all hard surface area.

Other

TTAC – Recommended approval of a 30 million amendment to add US 31, from SR 10 to SR 110 “New Interchange/Intersection Improvement”.

Brownfields Grant – MACOG region was awarded a \$600K brownfield assessment coalition grant.

Floodplain Workshop – Went to a workshop in Shippshewana and received education and information based upon flood plain events and what our responsibilities are in what we can do to assist people moving forward with different types of developments.

Solarize Northern Indiana Initiative – “Going solar workshop” on July 30th, 2019 @ 6:30pm in Room 203.

Regional Complete Streets Policy – TTAC will be presenting next week a complete streets policy. It's mainly aimed at the urbanized area, but believes that Marshall County can benefit from this.

Violations – Currently we have 8 cases in the warning stage, 16 in the fine stage, 8 with the

Marshall County Board of Zoning Appeals
July 2, 2019

attorney, 4 in court with a total of 36 cases. When asked if the new Code Enforcement Officer has received any resistance Mr. Adley commented that there has been a few. It's mostly people that are unaware there is an ordinance that they are violating.

Proposal of New Attorney

Mr. Roose made a motion to authorize the Plan Director, Ty Adley, to offer a proposal to Mr. Derek Jones to be the attorney for the Marshall County Plan Commission and Board of Zoning Appeals, seconded by Mr. Berger. Motion carried by acclamation.

There being no further business, a motion was made to adjourn and seconded. The Motion was passed by a voice vote.

Respectfully submitted

Bob Yoder