

**TOWN OF PITTSBORO
ADVISORY PLAN COMMISSION
MINUTES**

Tuesday, February 27, 2024

6:00 pm

**Pittsboro Administration Building
33 E Main Street, Pittsboro, IN 46167**

Members Present: Steve Maple; Lisa Abbott; Zach Buchanan; Jarod Baker; Jack Swalley
@ 7:00 Jason Anderson

Members Absent: Cathy Vandivier;

Staff present: Breana Love, Secretary; Jim Buddenbaum, Town Attorney; Cynthia Bowen, Town Planner

Attendees in person: Terry Northern; Eileen Lurker; Margaret Osmon; Kevin Schelwe; Beckie McVay; Joe Ray; Bill Medjeski; Ed Schrier; Jason Love

To watch the live stream of the meeting:

https://townhallstreams.com/towns/pittsboro_IN

1. Steve Maple Called the Meeting to Order
2. Steve led us in the Pledge of Allegiance & Moment of Silence
3. Roll Call- Lisa Abbott, Steve Maple, Jack Swalley, Jarod baker & Zack Buchanan
4. Five of seven member present that Determines that we have a Quorum
5. Motion to approve January 23, 2024 minutes was made by Jarod second by Steve . All ayes to follow, motion approved. (5-0)
6. Public Comments (not related to public hearings) None
7. Old Business None
8. New Business
 - a. **Public Hearing: Town of Pittsboro Property Rezone**
 - i. Guidelines for a public hearing.
 1. Everyone wishing to speak must provide their name and address, verbally.
 2. Please be direct with your comments. You are welcome to say you agree with any previous speaker.
 - ii. The public hearing will now begin.
 - iii. Public notice was published in The Republican on February 15, 2024.

- iv. Purpose of the hearing is to rezone the Town of Pittsboro Property at 33 East Main from General Business (GB) to Pittsboro Public Works (PPW).

Cynthia Bowen stated that the Town owns 2.3 acres of land with two existing buildings and is requesting it be changed from GB to PPW. Staff Recommend sending an approval to the Town Council.

Public comments- Becky McVay, requesting to know what is going into this property. Per Steve, it will be a fenced area with a building for trash trucks. Becky asked about a barrier. Jason Love, Town Manager said starting in the SE corner of the existing building there will be a fence heading south to the church line. Will not be using the grass area up close to South Maple Street. Becky asks when the construction will start and what the access road will be. Jason Love said the road will stay the same for now but is being assessed. Terry Northern, questioning the previously noted schedule of uses for the property. Requesting restrictions for the proposed uses only in order to protect the property for the future. Also asking if the buildings already on the property are legally established and in co-ordinance with zoning. Jim Buddenbaum suggested a variance through the Board of Zoning Appeals. Terry also was asking about the path into the property and how that will be addressed. Jason Love said he would like to make the back road on the south side of the bank a straight road that would access the bank traffic and Dollar General truck and general traffic. However, there is a meeting set up for a later date to discuss further.

The Town has received no written responses.

Steve closed the public hearing once the public had finished speaking.

Plan Commission discussion Jack Swalley questioning Jim if he needs to abstain since he received a notice. Per Jim no, since he does not have a financial interest in the property being discussed. Jack proceeded that there are requirements for landscaping and access and does not agree to changing the zoning at this time. Agrees to isolate and limit future impacts. Zach Buchanon questioned if Jason Love can build his new building under GB, the answer is no. To clarify, Jarod states this meeting is for a recommendation for rezoning only, regardless of the intended use for the property.

Cynthia states there are conditions that can be placed on the rezoning.

Zach made the motion for a favorable recommendation, Steve seconded. motion passes 4-1 (Jack voted no)

b. **Public Hearing: Ordinance Amendments to the Unified Development Ordinance (UDO)**

- i. Guidelines for a public hearing.
 1. Everyone wishing to speak must provide their name and address, verbally.
 2. Please be direct with your comments. You are welcome to say you agree with any previous speaker.
- ii. The public hearing will now begin.
- iii. Public notice was published in The Republican on February 8, 2024.
- iv. **The Town has not received any written or verbal responses to any of the Publish Notices**
- v. Purpose of the hearings.

1. Steve opened the Public Hearing: AG-Cynthia, we made changes to the height of buildings. Staff Recommend sending an approval to the Town Council.

Joe Raid, asking who is wanting this change and why. Steve said there are some grain bins being requested and this would be needed to allow the grain bins. No other comments.

Steve closed the Public Hearing:

Jack mentioned a height over 199 ft needs a beacon. Jason Love agreed. Motion to approve with noted change, by Jarod, Steve seconded. Motion passes 6-0. Resolution 2024-05

2. Steve opened the Public Hearing: Driveways-Cynthia we made changes to parking and drainage, existing drives, and removed some language about requirements. Staff Recommend sending an approval to the Town Council. Public comments: Terry stated that in section 3, paragraph C, there is an IDEM issue. Steve closed the public hearing. Steve is ok with striking this paragraph. Jason Love agreed. Motion to approve with taking out 3C made by Jarod, Zach seconded. All ayes to follow. Motion passes 6-0. Resolution 2024-10.
3. Steve opened the Public Hearing: Interstate Overlay-Cynthia, changes were made to adjust boundaries. Staff Recommend sending an approval to the Town Council. Public Comments: Terry is questioning if the public hearing was actually published in the paper as stated. **Jarod spent about 10 minutes looking online in Thursday Feb 8, 2024 edition.**

Copy attached for reference, page B8. Terry also doesn't agree that 7 day notice is enough time to review documents, he would request more time. Jim is not aware of a time statue in place. Terry also has 3 copies of the same named document and each one is different. Steve states the correct one is on the website. However, Terry said he has two, both from the website. Steve reviewed the two: one had twice as many pages. Both copies were the same, one was printed on both sides and the other was individual pages. Jarod is searching the rules for time statues.

Steve Closes the Public Hearing.

Lisa states this was discussed last month at the meeting and there was a public workshop. Resolution 2024-07 to approve made by Steve, Jarod second. All ayes to follow, carries 5-0.

Steve opened the Public Hearing: Jeff Gordon Overlay- Cynthia, we amend the UDO to make changes to adjust boundaries. Staff Recommend sending an approval to the Town Council.

Steve opened the Public Hearing: Kevin asked what the reason for the changes. Cynthia states it was originally intended for retail and the Town wants to change it to industrial. Terry states the document he got from the town hall on the UDO is different from what is being presented. Kevin Schelwe, asked who owns the property on the north side of the interstate that is being rezoned. Steve states it is still under contract (nothing is being rezone at this time). Kevin would also like to confirm there are no council members involved in this change. Steve said no, not to my knowledge.

Steve closed the Public Hearing.

4. There were no board comments. Steve made a motion to send for approval, Lisa seconded. Motion carries 5-1. Resolution 2024-08. (Jack voted no)

5. Steve opened the Public Hearing: Flex Industrial District- Cynthia states minimum and maximums have been added to building height. Staff Recommend sending an approval to the Town Council.

Public comments: Jason asking if the minimum is 25', why are there variables, and would like to strike the 1 acre. Jack would like to table this and discuss further. Jason agreed, there are a lot of existing houses in downtown that the flex overlay that this could pertain to. Motion to table this motion until March made by Steve, Zach seconded. All ayes to follow. (6-0)

Steve opened the Public Hearing: Schedule of Uses-
We decided to table this motion as it pertains to the Flex use
discussion that is tabled as well. Jarod made motion to table
until March, Jack seconded. motion passed (6-0)

6. Steve opened the Public Hearing: Outdoor storage amendment
Per Cynthia creation of an outdoor storage permit. Added a
purpose and intent statement. Added time frames.
Recommend approval to town council.
Public Hearing is open--no comments
Steve closed the public hearing
Steve made a motion to approve, seconded by Jarod. Motion
carries 6-0. Resolution 2024-APC-09
7. Steve opened the Public Hearing: Accessory Uses-
Cynthia states to amend outdoor storage in GB, HB, MU, FL,
I-2, I-3. Staff Recommend sending an approval to the Town
Council.
Public Comments: Terry was questioning if the overlay
includes Jeff Gordon overlay or downtown. We said yes.
No board comments. Motion to approve made by Jason
Alexander, Jarod seconded. All ayes to follow motion carries
6-0. Resolution 2024-APC-12
8. Steve opened the Public Hearing: Modifications for Process
and Procedures-
Cynthia we made modifications to the site plan. Creating a
new section to the UDO.
No public comments
Jack and Steve requested deletion of "in the setback". Terry
pointed out a sentence that is incorrect. Cynthia will correct.
Terry was asking the time frame for returning information.
Zach agrees, this should be clarified. Steve recommended
"Staff should receive a response within 15 business days."
Board discussion agrees that if no response is received, the
request is null and void. Motion made by Zach, second by Ulsa.
All ayes to follow, motion carries 6-0. Resolution 2024-APC- 11
9. Steve opened the Public Hearing: General Changes Amendment
Cynthia addressed definitions to outdoor storage, modify
fence and walls. Height section 2, change to 12 feet. Staff
Recommend sending an approval to the Town Council.

Public Comments: Terry is requesting the chapter and page numbers be added. Cynthia said that she was doing that.
Public hearing closed.

No board comments. Zach made a motion to approve, Steve seconded. All ayes to follow (6-0) 2024-APC-03.

9. Potential and/or On-going Enforcement- None.
10. Miscellaneous- None
11. Board Comments None
12. Jarod made a motion to adjourn, Jack seconded. All ayes to follow. (6-0) Meeting adjourned.

NEXT MEETING: March 26, 2024

Advisory Plan Commission Meeting ~~2/27~~ 2/27/24

Name/Address

Gill Mapelo - 4342 Q.C.T.S.

Terry Northum 137 LAKEVIEW DR.

Eileen Lurker 129 Lakeside Dr

Margaret Osmond 128 Lakeside Drive

Kevin Scheiwe 121 Lakeside Drive

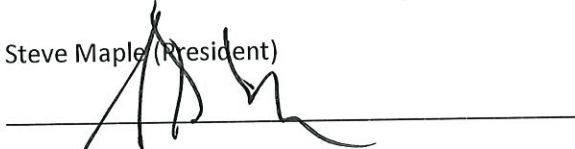
Beckie McKay 119 S. Maple St.

Be Ray 119 E Main St.

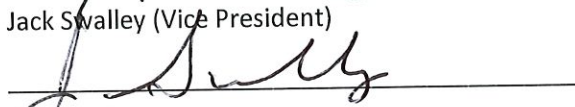
February 27th, 2024 APC meeting minutes approved at the March 26th, 2024 APC meeting.

Advisory Plan Commission

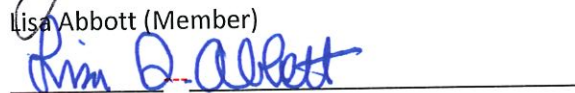
Steve Maple (President)



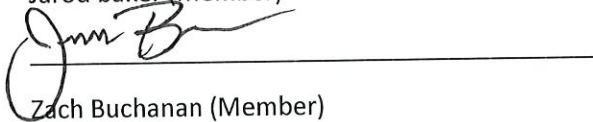
Jack Swalley (Vice President)



Lisa Abbott (Member)

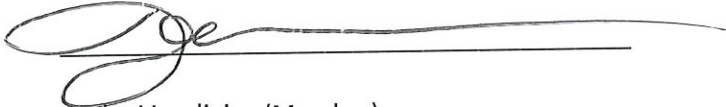


Jarod baker (Member)



Zach Buchanan (Member)

Jason Anderson (Member)



Cathy Vandivier (Member)

ABSENT

Bre Love (Secretary)
