

The Thorntown Plan Commission met in a regular meeting on February 13, 2023 at 6:00 PM in the Town Hall.

Members in attendance were as follows:

- Ben Strong, Vice President – Citizen Member.
- Frank Clark – Town Employee.
- Jerry Seymour – Citizen Member.
- Erick Smith – Citizen Member.

Others in attendance: Oksana Polhuy, Planning Administrator.

Vice President Strong calls the meeting to order at 6:00 PM.

## **OPENING CEREMONIES**

Mr. Strong leads the Plan Commission in the Pledge of Allegiance.

## **DETERMINATION OF QUORUM**

Mr. Strong states that four members are present and declares a quorum.

## **MINUTES**

Mr. Strong asks if any minutes are available for adoptions.

Oksana Polhuy, Planning Administrator, states that she hasn't written the January minutes.

## **COMMENTS FROM THE PUBLIC**

Mark and Louise Rancourt, 122 S Morris Street, ask about their next steps in the minor subdivision process.

Jonathan House, the surveyor that will be preparing the plat for Rancorous, was present at the meeting and asked about the requirements.

Mrs. Polhuy records Mr. House's email and says that she'll email him the details.

## **OLD BUSINESS**

### **ITEM #1. PUD-01-2022 – WESTFALL PLACE**

*Review of the application for rezoning the subject property from no zoning or Residential zoning to a Residential/Planned Unit Development zoning district; review of a Preliminary Development Plan, and Ordinance for approximately 67 acres to be developed as a residential single-family detached development containing approximately 163 units to be known as the Westfall Place located to the southwest of the intersection of Oak street and SR 47, submitted by Arbor Homes, LLC (owners: Scott A. Schuler, Thorntown Development LLC, and Threlkeld Farms Inc.).*

Mrs. Polhuy states that this item was continued from last meeting by the Plan Commission to allow more time to review all information and comments from the public. She states that Arbor submitted

a revised Concept Plan and the revised PUD Ordinance after hearing the feedback from the Plan Commission and the members of the public. She states that the Plan Commission would need to review these revised plans. She states that since the public hearing occurred and was closed at the previous meeting, the Plan Commission doesn't have to open the public hearing again. However, she says, since the plans were changed a little bit, it wouldn't hurt to open the floor back up.

Charles Russell, Arbor Homes LLC, 9225 Harrison Park Ct, Indianapolis, IN 46216, states that after hearing feedback from the public and some Plan Commission members about Area B Genesis product, Arbor decided to remove it from the Concept Plan and the PUD Ordinance. He states that the previous PUD Ordinance was drafted with the language to allow to replace Genesis product with the traditional houses and lots under certain circumstances. Due to that, removing it from the ordinance now is Arbor responding to the circumstance early on: the community's concern about the Genesis product. He states that instead of the Genesis lots, the Concept Plan now has traditional lots. He adds that the location and size of some ponds were shifted a bit. He states that other than that and removal of Area B product and language from the Ordinance, the remainder of the Ordinance and Concept Plan stayed the same. Mr. Russell also shows a map with house footprints on the lots.

Mrs. Polhuy states that the removal of Area B product reduced the number of the requested waivers from 11 to 6. She goes over the remaining 6 waivers to remind the Plan Commission what they are: 1) reduction of the rear yard setback from 20 to 15 feet; 2) increase of the maximum lot coverage from 45 % to 50 %; 3) reduction of the minimum ground floor area from 900 sf to 800 sf; 4) Removal of a landscape buffer yard in some areas between the agricultural (non-residential) surrounding uses and residential uses within the project as depicted on the Concept Plan; 5) Reduction of the width of the common area that constitutes a break in a block: from 100 feet to 30 feet; and 6) Building massing anti-monotony waiver. She states that since Genesis product was removed, she also removed a suggested condition about the utility easement in Area B that she recommended in her staff report and presentation at the previous January 9, 2023 meeting. She reminds the Plan Commission that if they were to vote for a favorable recommendation, they'd need to add a condition about the PUD rezone and ordinance becoming effective only upon property's annexation into the town of Thorntown.

Vice President Strong opens a public hearing.

Eugene Doctor, 315 S West Street, asks if the trees are allowed in the rear yard easements.

Mrs. Polhuy states that the engineers would typically have some restrictions based on the kind of easement. Rear easements typically are mostly drainage easements for water flow and plants help with moisture absorption. So, she says, typically trees are okay to be present in the drainage easements.

Karen Nemeyer, 1217 Wesley Court, asks if there is going to be a fence around the project.

Mrs. Polhuy states that there is no such requirement in Thorntown Zoning Ordinance for residential subdivisions.

Mr. Russel states that Arbor is not proposing one.

Mark Garing, 406 N Market Street, asks if the existing trees along the eastern border of the project will remain for the existing neighboring Westwood Addition subdivision residents to enjoy.

Mr. Russel states that they'd try to preserve them as much as possible.

Caitlin Dopher, Arbor Homes LLC, 9225 Harrison Park Ct, Indianapolis, IN 46216, clarifies that the current plan doesn't include saving those specific trees. She says that if for certain development reasons the trees along the eastern portion of the project area have to be removed, they may be removed.

Mr. Garing asks if there is enough sewer capacity to service this development.

Mrs. Polhuy states her understanding that the lagoon has the capacity to hold and treat additional flow from this development, but that the lift station that would take the sewage and push it to the lagoon would need to be upgraded.

Mr. Garing asks if there is enough police capacity to protect the town with the additional residents.

Frank Clark, Thorntown's Police Chief and a Plan Commissioner, states that he's in the process of hiring an additional employee to have enough staff.

After hearing no other questions, Vice President Strong closes the public hearing.

Erick Smith states that from the point of view of strict planning analysis, he still agrees with the rationale behind approving this application and is in favor of it just like he did at the previous meeting.

Jerry Seymour agrees with Mr. Smith.

Mr. Strong says that he likes the changed layout and product and thinks that it matches the town a lot more than the previous Concept Plan.

**Motion by Vice President Strong, second by Mr. Smith to send a favorable recommendation to the Council for adoption of Change of Zoning from no zoning or Residential to Residential/Planned Unit Development zoning district for 67 acres to be developed as a residential single-family subdivision with about 163 lots to be known as Westfall Place, including adoption of the preliminary development plan and ordinance as per submitted application PUD-01-2022, and approval of the following waivers:**

- §152.22.C.3.c Minimum rear yard: from 20 feet to 15 feet.
- §152.22.C.4 Maximum lot coverage: from 45 % to 50%.
- §152.22.C.6.a Minimum ground floor finish floor area: from 900 sf to 800 sf.
- §152.27.A.8.b Removal of a landscape buffer yard in some areas between the agricultural (non-residential) surrounding uses and residential uses within the project as depicted on the Concept Plan (Exhibit 1).
- §152.72.C.2.a.i Reduction of the width of the common area that constitutes a break in a block: from 100 feet to 30 feet.
- §152.72.C.3 Building massing anti-monotony waiver.

