**NEW WHITELAND PLANNING & ZONING**

**JANUARY 26, 2016**

7:00 p.m.

Vice Chairman, Jeff Weaver began the January meeting at 6:58 p.m. Members present were Jeff Weaver, Marshall Walker, Frank Telakowicz, John Perrin and Wendell Johnson. Member Scott Alspach was not in attendance. Attorney, Lee Robbins and Zoning Administrator, Tim Guyer were both in attendance.

**MINUTES**:

Marshall Walker motioned to approve the meeting minutes from June 2015. Wendell seconded the motion. Vote as 4 affirmative. John Perrin abstained from voting.

**ADMINISTRATOR’S REPORT**:

There were several administrator reports due to not meeting since last June. There were no questions or discussion.

**ELECTION OF OFFICERS**:

Jeff Weaver nominated Scott Alspach for Chairman. Marshall seconded that motion. Vote was 5 affirmative. John Perrin nominated Jeff Weaver for Vice Chairman. Marshall seconded that motion. Vote was 5 affirmative.

**OLD BUSINESS**:

There was no old business.

**NEW BUSINESS:**

**SCENIC CONSTRUCTION SERVICES / INDUSTRIAL SECTION OF COUNTRY GATE**:

Tony Biasi and his wife, Toni, are contemplating buying the industrial section of Country Gate. That property is about 14 acres. The current owner does not want to parcel it off. Tony wants to buy all of it and parcel it off himself. Mr. Biasi is here tonight to find out what can be developed on that property. What can he do to utilize 3 -4 acres.

Tony has his own company which is Scenic Construction Services, a landscaping business. He specializes in erosion control, building parks, trails, small bridges. He has done a lot of work in Carmel, built a pocket park in Seymour, has also worked

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in Greenfield. Tony is thinking about locating his business on the north end of the industrial portion. He is looking to grow his business.

Tony Biasi employs four people, they meet at the shop and leave for the day. There is no foot traffic. Lee talked about dividing the property, and a lot of places are using block platting. Two or three large blocks that are defined by characteristics of the property. That would be Mr. Biasi’s first step; platting the property and to submit a full blown plan on how he wants to divide that industrial section. Lee mentioned as an example, two sections; 1 – 10 acre lot and 1 – 4 acre lot.

File an application for a plat. Instructions are in the Subdivision Control Ordinances, section 4-302, “Application procedure for major and minor subdivisions.”

Lee advised Mr. Biasi to meet with Tim Guyer, submit a sketch plan. Tim will then request a Tech Review meeting with surrounding checkpoint agencies. These agencies include but are not limited to the New Whiteland Town Council, Town Marshall, Public Works Department, Fire Department, Indiana Board of Health.

Those agencies have so many days to respond. At the Tech Review meeting the agencies may look at easements, roadways, drainage and utilities, and lot sizes. The Town will consult with an engineer to make sure everything makes sense with the drainage calculations.

Lee Robbins states for clarification for Mr. Biasi to move forward, he can divide the 14 acre parcel into 1- 4 acre lot and 1 – 10 acre lot, with rules. Mr. Biasi states that he does not plan on having an internal road within that 14 acres. Tony showed the members how he would divide them straight across, from east to

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west. Tony also pointed out where the fire hydrants are currently placed. Each parcel will be within 400’ from any hydrant.

The Sketch plan will eventually come to the Plan Commission for consideration and they will probably delegate authorization to Tim Guyer from that point forward. Lee states that the Plan Commission will be flexible with some rules.

It was discussed that this industrial section of Country Gate is zoned a PUD, which is Planned Unit Development. All of Country Gate is part of the PUD zoning, as one project. PUD = Manufacturing as far as use and development, commercial use and development. The M, manufacturing classification for each separate lot.

Lee continued that Tony would file for a Major Subdivision plat and submit drainage calculations. There was discussion about designated wetlands and IDEM. Tony Biasi showed the members on a diagram, there are designated wetlands at the front/south end of this 14 acre section. That cannot be disturbed. There is an easement by that retention pond. Mr. Biasi states that retention pond belongs to him and he is aware that it is his responsibility. Drainage is workable.

Outside Storage:

Mr. Biasi brings up his second question about outside storage. He read in our zoning ordinances that the storage of materials or products within his fenced in area may not exceed the height of the fence. The fence can be 6’ and shall not exceed 8’. Mr. Biasi is concerned that some of his landscaping equipment will exceed the height of the fence. A single axle truck is taller than 8’. And for the future, he wants to be sure other businesses that build on this property, can exceed the height of the fence. That rule will be a deterrent for future buyers.

Mr. Biasi is looking for a waiver on that rule.

Lee Robbins explained that the Plan Commission doesn’t have anything to say or do with that ordinance. Mr. Biasi will have to petition to the Board of Zoning Appeals to have all the property exempt from that particular rule. Lee explained

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the 15 day notice requirement on the variance petition. Mr. Biasi would have to have adjoining property owners and legal ad in newspaper no later than February 8th, to be heard at a February 23rd BZA meeting.

Tax Abatement:

Mr. Biasi inquired about a tax abatement. Lee Robbins responds that New Whiteland has not done any tax abatements in the past and he is not sure if the Town Council would have an interest in doing one. Mr. Biasi states that he has looked at property in Franklin as well as New Whiteland. He wants to build in New Whiteland. Lee Robbins states to Tony Biasi that he thinks he can get him a response within a couple of weeks about the tax abatement.

Tony Biasi states he will get with Tim Guyer and get paperwork ready for the BZA.

Terry Spencer handed out a copy of Ordinance 2043 to all the members. Terry states that MS4 rule #5 says if someone disturbs more than four (4) acres of property, they have to abide by IDEM regulations. They want to approve water drainage.

Jeff Weaver adjourned the meeting at 7:51 pm

 Respectfully submitted:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Cindy Yates

Approved By: Recording Secretary