

MINUTES
WALTON PLAN COMMISSION
Monday November 2, 2015

President, Mac Martin called the meeting to order at 6:00 PM in the Walton Town Hall.

ROLL CALL:

Members present: Rick Lee, Mike Robison, Vincent Beeson, Dick Case, Mac Martin and Patti Raderstorf

Member absent: Steve Williams and 2 members to be appointed

Staff present: Arin Shaver and Peggy Dillon

Public in attendance: Stan Ziolek, Tim Middlekauff and Christy Householder

ACTION ON MINUTES:

Mr. Beeson made a motion to approve the September 8, 2015 minutes, Mr. Robison seconded the motion and all were in favor.

PUBLIC HEARING:

Mrs. Shaver presented the issues for the following Resolutions:

#15-02 Landscaping & Plant Nurseries:

- Definition of Plant Nursery was added
- Table A is permitting them in districts CB and IN / a Special Exception for AG

#15-03 Temporary Uses:

- Adding mobile food vendors and roadside stands uses

The Commission questioned whether this applies to events selling food. Mrs. Shaver stated no, events are classified differently and permits for events are issued through the Health Department.

#15-04 Accessory Structure Height:

- Addition of height limit of accessory structures to be:
 - 1 story primary structure; accessory structure standard is 16 feet
 - 2 story primary structure; accessory structure standard is 24 feet

#15-05 Accessory Structure Prior to Primary Structure:

- Accessory Structures will be allowed to be built as long as they comply with the setback standards for principle structures

#15-06 Fencing in Front Yard:

- Typical fencing is being sold as 48"; this will be allowed
- No district will allow fencing over 8'
- All fences must meet standards if over 75% is being repaired
- Deleting "broken glass, spikes or sharp, dangerous objects" as material of fencing

#15-07 Caretaker Dwellings:

- There is already a section that allows for another residence on the property
- Thus, this will eliminate the standards for Mobile Home as a Caretaker Dwelling and the removal of such homes

#15-08 Wireless Regulations:

- State Code is changing
- Encouraging towers to co-locate so there are less towers
- State Code says there cannot be a requirement of setbacks for towers but our ordinance can require a fall zone standard
- Chain link fence standard will be 6ft.

- The Authority to review towers will be the Zoning Administrator if it is in zone that permits towers and the Board of Zoning Appeals will be the authority if it is in a zone that does not permit a tower

Mr. Shaver asked for questions from the Commission. Mr. Beeson questioned where the height of structures to be measured to, Mrs. Shaver stated to the peak.

Mr. Martin asked for questions from the public, there were none.

Mr. Lee motioned to approve all resolutions as presented. Mr. Case seconded the motion and all were in favor.

REPORTS:

Unsafe Property: *Conner Sawmill 300 North Street*

Mrs. Shaver stated that the Building Commissioner, Ralph Koppe, inspected the property and determined that it is unsafe; an order was sent and requested the owner to come to this meeting.

Mr. Middlekauff, 1833 S. SR 19, Peru, IN stated that he owns the property and the structure is beyond repair. Mr. Middlekauff explained that a concrete structure to the south could be used as a short term solution for the sawdust until a permanent structure can be completed.

Mr. Robison asked how often sawdust is hauled and Mr. Middlekauff stated approximately 3 – 4 semi truck loads a week and later stated possibly a semi load a day. Mr. Middlekauff stated that they are wanting to build another structure and are looking into the setbacks as well as other requirements. Shaver stated that he should call the planning office for all regulations on setbacks and buffering.

Stan Ziolk, 402 North St., explained that he lives next door and has had concerns of these issues for 5 years.

Mr. Lee asked if a new sealed building could be located where the current structure is and Mr. Middlekauff stated, yes, if it is feasible.

Mr. Ziolk explained that today, sawdust was being blown in and it flies everywhere; they cannot open the window and his wife now has allergies.

Mr. Middlekauff stated the hours of operations to be Mon. – Fri. with just 1 shift.

The Commission questioned the proposed building and explained that the sawdust needs cleaned up and stored in a safe way.

Mrs. Shaver stated that the structure will have to follow state code or IDEM regulations.

Mr. Middlekauff stated that storing sawdust on the ground as a temporary situation will not work due to moisture getting into it.

The Commission asked for a timeframe for a structure to be built, Mr. Middlekauff could not give one.

Mr. Robison made a motion to leave the order and give the owner 60 days to start the remediation. Mr. Martin questioned whether the Commission should clear the order and work with them. A discussion followed of different possible ways to proceed. Mr. Lee explained that the Commission wants a safe building and clean air.

Mr. Lee made a motion to approve the order and give them 60 days to present a plan of action. Mr. Case seconded the motion and all were in favor.

Mr. Shaver asked Mr. Middlekauff to file a plan of action with the planning department by Dec. 29, 2015 and he agreed.

OLD BUSINESS:Unsafe Building Updates:107 N. High St. Piercy:

Mrs. Shaver explained that the Building Commissioner had inspected the property and talked to Mr. Piercy and asked how long it would take for him to do something with the property, Mr. Piercy replied 4 months.

Mrs. Shaver explained that a new order can be sent out and request the structure to be demolished by a certain date and if it isn't, the Commission can demolish it.

A discussion followed and the Commission expressed the desire to have it demolished.

Mrs. Shaver stated she can bring a estimate for a contractor to complete the demolishing.

Mr. Lee questioned if the City of Walton could do the demolition and Mrs. Shaver stated yes, just bring in an estimate figuring the hours for the work. Mr. Lee asked the process that needs to be followed. Mrs. Shaver stated that after proper notification is completed, the work can be done and the fee will be accessed to the property owner's taxes.

Mr. Lee made a motion to give a new order to assess a fine of \$5000 and request the property owner to attend the December 7, 2015 meeting with a plan of action. The Commission decided that if there is no progress, at the January meeting, it can be ordered to be demolished by the Plan Commission. Mr. Case seconded the motion and all were in favor.

NEW BUSINESS:Improvement Location Permits:

Mrs. Shaver presented the ILP's for the 3rd quarter, no questions were asked.

Fee Schedule:

Mrs. Shaver explained that State Code now recommends communication fees to be listed under commercial fees and this will go to Town Council, no action is required by the Plan Commission.

PUBLIC IN ATTENANCE:

Mr. Martin asked for questions or comments from the public, there were none.

There was no further business to be brought before the Commission; the meeting was adjourned at 6:54PM November 2, 2015.

WPC Officer

WPC Officer

Peggy Dillon, Recording Secretary