

TOWN OF HEBRON  
PLAN COMMISSION MINUTES  
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TOWN OF HEBRON PLAN COMMISSION MINUTES March 8, 2022

Dear Members:

The regular meeting of the Town of Hebron Plan Commission was held Tuesday, March 8, 2022, at 7:00 p.m. via Zoom.

PLEDGE OF ALLEGIANCE.

MEMBERS PRESENT: John Spinks, Jr. Justin Albright Shane Spagnola Josh Carter  
Mike Wallace Josh Noel Merlin Foresman

OTHERS PRESENT: Brett Galvan, Attorney  
Sarah C. Bushell, Recording Secretary

John Spinks asked for approval of the agenda as presented after changing the direction from South to West of Hebron under “old business” for the February 8th meeting; and adding under number four (4) of “new business” meeting in person.

Justin Albright made a motion to approve the agenda as presented. Josh Noel seconded.

All approved. Motion to approve agenda as presented carries 6-0.

John Spinks asked for approval of the meeting minutes February 8, 2022.

Mike Wallace made a motion to approve the minutes from the February 8, 2022. Josh Noel seconded.

All approved. Motion to approve the minutes from the February 8, 2022, carries 6-0.

John Spinks, Jr.- “old business”, consideration development for Park Ridge. A public hearing was held at the February 8<sup>th</sup> meeting, Commission heard concerns and feedback from the public and decided to take all considerations and agreed to postpone taking action until everyone had a chance to review the Plan Review Report from HWC Engineers. The HWC report dated March 7th, recommended that we could go ahead and approve the Preliminary Application. So, I would ask, when making a motion for this preliminary application approval, make sure that it references the “March 7th, 2022, HWC Plan Review Report” and the stipulations that were put on this, under “Approval of the Preliminary Plan for Park Ridge is *recommended, contingent on the following*” number one (1), where it says that “the remaining review comments provided to HWC are addressed satisfactorily. These remaining items are listed below in the REMAINING COMMENTS portion of this letter” and two (2) “that the appropriate permits, as applicable, from the following agencies are obtained for the project” Porter County Surveyor's Office, Indiana department of Natural Resources, Indiana Department of Environmental Management, and United States Army Corps of Engineers.”

John Spinks, Jr. additionally commented he would like this read into the record, and their “Remaining Comments” included District Standard PUD, Force Main & Lift Station; and please note that the project design and calculations for the detention basin design, overflow evaluation information.

Attorney Galvan asked if he wanted to add the contingencies to the Finding of Fact (FOF), or is that something to discuss?

John Spinks, Jr. – commented yes, once voted, these are stipulations based on the HWC Plan Review Report and will add to the Findings of Fact, once a decision made.

John Spinks, Jr. asked for a motion for the approval of Park Ridge Subdivision Preliminary Application.

Josh Noel made a motion for a motion for the approval of Park Ridge Subdivision Preliminary Application. Justin Albright seconded.

John Spinks, Jr. stated there being a motion and a second, is there any discussion from the Commissioners?

**Merlin Foresman joins Zoom meeting at 7:15 p.m.**

*John Spinks, Jr. updates Merlin on the fact that Josh had made a motion to accept the Preliminary Plat Application for Park Ridge, Justin had seconded it, we had added to the Findings of Fact what HWC's Plan Review Report had sent to us as stipulations, and now we are getting ready to take a roll call vote.*

Johns Spinks, Jr. asked Merlin if he had any questions, having answered “No”, moved to roll call vote.

Roll Call Vote:

Ayes: Merlin Foresman, Justin Albright, Shane Spagnola, Josh Carter, Mike Wallace, Josh Noel, John Spinks, Jr.

Nays: 0

Absent: None

Motion for approval of Park Ridge Subdivision Preliminary Application carries 7-0.

John Spinks Jr. *commented that this a big motion forward and suggested that Steve Kil to follow along with the Ordinance for the next steps to proceed.* .

John Spinks, Jr. - Building Inspector Ernie Snow is absent, noted that that this was a continuance of a discussion from the last meeting, having tabled a Certificate of Occupancy Checklist form, asked for any comments or questions;

Josh Noel asked if the Town Hall or Building Department would be setting this form up to be editable PDF forms which can be electronically filed; in which

John Spinks, Jr. *commented that this would be a question that could ask later on.*

**Kevin Joseph joins Zoom meeting 7:38 p.m.**

John Spinks, Jr. – gave recap of discussion, asks for any other questions or comments; asked for a motion to approve the Certificate of Occupancy Checklist.

Josh Noel made a motion to approve the Certificate of Occupancy Checklist. Merlin Foresman seconded.

Motion to approve the Certificate of Occupancy Checklist carries 7-0.

John Spinks, Jr. - New Business - Melissa Triemstra here for 11, Maxwell Street in Hebron.

*Melissa Triemstra is here to address the land that is currently for sale by the owner, her intent would be to purchase and place a multi-family dwelling connected structurally and comprise eight dwelling units; according to the Town of Hebron zoning maps it shows this particular land zoned for R1; with parcels on either side of that unit with four or more units on them.*

Clarification in 11 Maxwell Street zoning and information on application process for variance along with where

to obtain application was explained to guest, who then exited meeting.

John Spinks Jr. - item number 2 - on Minutes from the HRC approved London Witte Group as the Accountants for the development agreement, asks for a favorable recommendation to Town Council for consideration/approval of London Witte Group for Accountant contract.

Mike Wallace makes a motion for favorable recommendation to Town Council for approval London Witte contract. Josh Noel seconded.

Motion for a favorable recommendation to Town Council approval London Witte Contract carries 7-0.

John Spinks, Jr. - item number 3 - on HWC Engineering's supplemental contract to do inspections to upgrades on Madison Lift Station and Wilson Street Water, extent of the contract being hourly based not to exceed \$25,000.00 and paid through developer for favorable motion to Town Council for approval.

Mike Wallace makes a motion for favorable recommendation to the Town Council for approval. Shane Spagnola seconded.

Motion for a favorable recommendation to the Town Council carries 7-0.

John Spinks Jr. - Moving on to item number 4; *Meeting in Person for the Planning Commission for the beginning of April;*

Justin Albright commented he's been following COVID19 closely since its beginning, the last three weeks showing a decrease in COVID positivity rates and hospitalizations down, not seeing upswings, on board with recommendation going back in person starting next month. and I'm going to make the same recommendation to the Town Council at the workshop today.

Josh Noel makes a motion to return to in-person meetings. Justin Albright seconded.

Motion to return to in-person meetings beginning April 2022 carries 7-0.

John Spinks, Jr. asks if there is anything from the community, anything further from the Commission?

Justin Albright - *commented on the guest that was here, (Melissa Triemstra), suggests reaching out to her on obtaining what she needs for the property in question.*

Joanne Hansen – *made a comment that she would be happy to reach out to her to walk her through the process of filling out the application and telling her what the property owner needs to do and to pay to be able to get this started.*

*John Spinks, Jr. asked Joanne Hansen once she contacts Mrs. Triemstra to forward information onto the Plan Commission to update them.*

John Spinks, Jr. - *asked Mrs. Hansen if she could explain the process that happens between Town Hall and the County when a zone change happens, giving the example of the old Susie's property and discrepancy of being zoned R1 on our map and Commercial on the County's.*

Joanne Hansen explains the process *when a zone change request after a giving favorable approval the ordinance goes to Town Council who signs the ordinance; then it goes to the Recorder to be recorded; in which that recorded change document goes the HRC Board, who creates a new zone map; the property that you raised the issue on is the former Susie's Diner which is zoned R1 and was one of those specific buildings that was back from a long time ago, and was "grandfathered" and non-conforming use when it came in and stayed in non-conforming use until the building was taken down. It reverts back to the regular zone which is R1. The confusion was in the fact that the Assessor was assessing the property as a commercial property has nothing to do with the zone, but how it was being assessed.*

Attorney Galvan - commented that we have to check the ordinances and see if the Planning Commission takes the initiative to revert that that property back to the original zone use.

Joanne Hansen – answer Brett's question on the zoning of Susie's and that it was always zoned R1.

John Spinks, Jr. asks anything else from the Committee?

Merlin Foresman – comments about signing 8 documents; John Spinks, Jr. comments on the steps of the Planning Commission once Preliminary Plat of Park Ridge is approved is that the PUD ordinance requires approval on each drawing and scheduling time to do that.

John Spinks Jr. asked if there is anything else?


Josh Noel- commented that he wanted to thank Sarah for typing up these forms, from the looks of it, that she's had quite a lot of work going on this month and wanted to tell her it's appreciated very much.

John Spinks Jr. state there being no further discussions form Commission or community, asks for a motion to adjourn.

Josh Noel made a motion to adjourn. Justin Albright seconded.

All approved. Motion carries 7-0.

Plan Commission, meeting adjourned at 7:48 p.m.

  
John H. Spinks, Jr., President

  
Sarah C. Bushell, Recording Secretary