

**ADVISORY PLAN COMMISSION**  
**Minutes**

**Brownsburg Town Hall  
61 North Green Street  
Brownsburg, Indiana 46112**

**Monday, January 23, 2012**

The Brownsburg Advisory Plan Commission convened at 7:00 PM with the Pledge of Allegiance. A roll call was taken; where upon determination of quorum was found.

Members Present: Don Spencer, Jim Hill, Brett Scowden, Summit Ghosh, Jack Swalley, Tom Lacy and Glenn Nulty

Members Absent: None

Also Present: Todd A. Barker, AICP – Director of Planning; and Tricia Leminger – Attorney

**C. Election of Officers**

**1. 2012 President**

**Motion:** Jack Swalley made a motion to APPOINT Don Spencer as President for 2012, seconded by Sumit Ghosh, motion carried 7-0.

**2. 2012 Vice-President**

**Motion:** Tom Lacey made a motion to APPOINT Jack Swalley as Vice President for 2012, seconded by Jim Hill and Sumit Ghosh, motion carried 7-0.

**3. 2012 Recording Secretary**

**Motion:** Brett Scowden made a motion to APPOINT Meegan Morgan as Recording Secretary for 2012, seconded by Don Spencer, motion carried 7-0-0.

**D. Consideration of Minutes of Previous Meeting(s)**

**1. November 28, 2011 – Regular Meeting**

Tom Lacey abstained in regards to voting on the meeting minutes as he was absent from the November 28, 2011 Plan Commission Meeting.

Glenn Nulty abstained in regards to voting on the meeting minutes as he was not a member of the Plan Commission at the time.

**Motion:** Jack Swalley made a motion to **APPROVE** the meeting minutes from November 28, 2011, seconded by Brett Scowden, motion carried 5-0-2.

**E. Approval of Finding of Fact and Reports of Determination**

1. NONE

**F. Projects Requesting Continuances**

1. NONE

**G. Old Business**

1. NONE

## H. New Business

1. NONE

## I. Reports from Officers, Committee & Staff

Todd Barker sought procedural clarification on the citing cell towers within the corporate limits. There is a provision within the ordinance under the general section that identifies who has authority to grant separate approvals, indicating the administrator or Todd Barker, having the authority to grant co-locate approvals. Mr. Barker explained that the ordinance states the Plan Commission must approve new wireless communication facilities and the Board of Zoning Appeals approves special exception use requests.

Mr. Barker further expressed that the issue the ordinance does not clearly address is whether or not that requires a public hearing for the Plan Commission to approve the new location. This request has been reviewed in depth and there is one provision they will be required to go before the Board of Zoning Appeals for in February. Mr. Barker is requesting feedback from the Plan Commission on how to proceed on letting the petitioner know how this approval will be granted.

The Plan Commission held discussion regarding the site location, height, and reference to ordinance provisions and sought formal direction from Tricia Leminger. Ms. Leminger advised the Plan Commission of the need to hold a public hearing. The Mr. Spencer called for a motion regarding a public hearing.

**Motion:** Don Spencer made a motion require a public hearing for the site development plan for this application, seconded by Jim Hill, motion carried 7-0-0.

## J. Communications & Bills

Kenneth Windler, Ryland Homes, appeared before the Plan Commission with a request to permit a model home on Lot 51 in the Oaks at Windridge (7431 Northern Oak).

Todd Barker gave an overview of the location and history of the model home request as it had been presented to staff and presented communication from Mr. Windler and accompanying exhibits for the Plan Commission to review.

The Plan Commission expressed concern regarding the traffic congestion in the subdivision due to increased traffic the model home would present as well as safety and lighting concerns. It was noted that Lot 51 is over 200 ft from the subdivision entrance. The Plan Commission indicated a concern regarding the need for off-street parking rather than on-street parking.

Glenn Nulty noted that he had been on-site and stated his interest in adding "No Parking" signs along the street opposite the model home.

The Plan Commission discussed the easement belonging to Marathon Pipeline as a temporary parking location for off-street parking. Mr. Windler stated Ryland Homes had not approached the pipeline however indicated that they prefer to allow on-street parking within the development.

Mr. Windler indicated Ryland Homes would have no problem with the stipulation of "No Parking" signs being placed on the west side of the street; opposite the model home.

The Plan Commission referenced a previous model home request in Bersot Crossing and noted the off-street parking does not mean adding a parking lot; merely a provision for additional parking.

Brett Scowden stated that there is also the possibility of widening the driveway at Lot 51 thereby providing four (4) additional off-street parking spaces.

In deference to the surrounding homeowners, the Plan Commission made the request that the lights around the model home sign be shielded and the timeframe in which they are in operation coincide with the noise ordinance within the zoning ordinance. The request was to have the lights in operation from 6 a.m. to 11 p.m.

**Motion:** Jack Swalley made a motion to APPROVE the model home request subject to and conditioned upon the following, seconded by Brett Scowden, motion carried 7-0-0:

- (1) No on-street parking be permitted;
- (2) Ryland Homes will install four (4) off-street parking spaces in compliance with the regulations of the Brownsburg Municipal Code;
- (3) Prohibit lighting hours of operation from 11:00 PM to 6:00 AM daily; and
- (4) Ensure the proposed lighting complies with the directional and cut off requirements of the Brownsburg Municipal Code.

Mr. Windler asked to address the Plan Commission regarding the Town's Ordinance requirements.

Mr. Windler asked the Plan Commission to consider off-street parking to be added to the Town of Brownsburg's Code of Ordinances. Stated they are willing to comply but asked that it be a standard requirement. The Plan Commission agreed to take the request into consideration.

#### **K. Administrative Fillings**

1. NONE

#### **L. Task List**

Todd Barker presented the information regarding the Plan Commission Year-in-Review training to take place on January 25, 2012. The request was made by the Plan Commission to review the power point before the training.

The Plan Commission made a request for member training for the document management application Laserfiche.

Mr. Barker mentioned the annual training to be presented by Kroger Gardis & Regas and noted a potential timeframe as the end of February for the training.

#### **M. Adjournment**

**MOTION:** Don Spencer made a motion to **ADJOURN**, seconded by Sumit Ghosh, motion carried 7-0-0. 7:47pm

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Don Spencer, President

ATTEST:

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Todd A. Barker, AICP, Administrator