

# Macon County Planning Board Minutes

## March 17, 2011

**Call to Order:** Larry Stenger called the meeting to order at 5:02 pm in the Macon County Health Department.

**Members:** Mike Grubermann, Mark West, Alan Marsh, Karl Gillespie, Jimmy Tate, Larry Stenger, Evelyn Owens, Jimmy Goodman, Susan Ervin, Lamar Sprinkle.

**Staff:** Derek Roland, Matt Mason, Jack Morgan, Rhonda Blanton, Jimmy Teem

**Media:** Franklin Press, Macon News

**Approval of Minutes:** Alan Marsh approved minutes from the February 17, 2011 meeting, Susan Ervin seconded this motion.

### **Liaison Reports:**

**MCWC-** Roland stated that the Watershed Council met in February to elect officers. Barry Clinton is the new chair. The Council did not meet in the month of March, but will begin holding monthly meetings on the third Wednesday of each month in the Macon County Building Inspections Department.

**Transportation Steering Committee-** Mike Grubermann reported that the committee will hold a meeting on March 24, 2011 at 2:00 at SCC. A draft copy of the plan will be presented to the public on March 24, 2011 from 4:30-7:00. Susan Ervin requested that all planning board members attend this meeting. Ervin went on to say that many recommendations were added by the DOT without consulting the public.

### **New Business:**

#### **Major Subdivision Review of Windsong Subdivision**

Roland gave a summary of the December 16, 2010 meeting attended by Terry Dalton who was wishing to convey a 1.7 acre lot from his +/- 87 acre tract (known as Windsong Subdivision). In order to accomplish this, under current subdivision regulations Mr. Dalton would have needed this tract to be approved as a major subdivision. No action was taken at this meeting and Dalton suggested that the board consult with legal counsel, as he felt his subdivision was established prior to enactment of the Macon County Subdivision Ordinance, exempting it from all subdivision regulations. Upon consulting

with legal counsel, it was the opinion of the Planning Department and Chairman of the Macon County Planning Board that the regulations of the subdivision ordinance would apply to the plat brought forth by Dalton at the December 16, 2010 meeting. Furthermore, the plat, which contained more than 8 lots, would be classified as a major subdivision.

On March 14, 2011 Dalton submitted a new sketch plan to the Macon County Planning Department which contained two lots, one being 1.7 acres and the other being the remainder of the +/- 87 acre tract. Roland then shared the definitions of both Major and Minor Subdivisions, and posed the question to the planning board as to whether or not the new sketch plan was a Major or Minor Subdivision? In the event the board felt this new proposal met the requirements of a Minor Subdivision, the Planning Board, acting as the Technical Review Committee would no longer need to review the plat, as Minor Subdivision review is handled by the Planning Department.

Stenger confirmed that 2 lots, by definition is a Minor Subdivision. Stenger then asked Mr. Dalton if the plat he was submitting was indeed a minor subdivision. Dalton replied "yes, you have 2 lots, that is what I am submitting at this time. Susan Ervin then asked if Dalton could do 2 lots every month. Roland then re-read the definition of a minor subdivision, reminding the board that the definition states the lots could not have been subdivided within the previous 1 year. Roland then asked the board for their interpretation of that clause, no answer was given.

Roland asked that the board make a recommendation to the staff of how to proceed. Jimmy Goodman asked the difference in a Minor and Major Subdivision. Roland responded saying that the main difference was the Technical Review Committee did not have to review a minor subdivision. Roland then re-confirmed that the new preliminary plat as shown, fulfilled the requirements for a Minor Subdivision.

Stenger then asked Dalton his intent. Dalton replied by saying his intent is to "sell a lot". Dalton went on to say that his intent could change tomorrow. Lamar Sprinkle then stated that as of right now this is a minor subdivision and the board should authorize planning department staff to approve this plat as a minor subdivision.

Roland then asked the board if Dalton was tying up the entire tract for one year by subdividing this lot from the parent tract. Discussion then centered on what the intent of the board was when they were writing the ordinance and no definitive answer was given to Roland's question.

Sprinkle made the motion that the board authorizes Roland to approve the plat brought forth by Dalton as a Minor Subdivision, Mike Grubermann seconded this motion. All were in favor.

## **Review letters received by the Macon County Planning Department concerning the proposed motocross facility in the Clarks Chapel Community.**

Roland distributed letters received by the Planning Department concerning the proposed Motocross facility in the Clarks Chapel Community. On Tuesday night March 15, 2011 a group of citizens came before the county commission and asked that the 2011 priorities for the Macon County Planning Board be changed. A citizen from this community (John Binkley) asked that reviewing the High Impact Land Use Ordinance be moved to the top of the priority list. Roland then read an email from Bobby Koppers, notifying the planning board that the commission had agreed unanimously for the planning board to continue with the priorities set at the February 2011 joint retreat (original priorities).

After reading the email from Koppers, the board directed Roland to keep the letters on record in the Macon County Planning Department. The board will continue with their original priorities as established in February of 2011.

### **Unfinished Business:**

#### **Presentation of Comprehensive Plan Final Draft**

Sprinkle made the suggestion that the community planning area recommendation be removed from the plan, as he does not feel comfortable with the board recommending this to the commission. Sprinkle made a motion that this recommendation be removed from the plan. Jimmy Goodman seconded this motion. Discussion began as to when the document would be brought before the commission. Gillespie felt that the board should go back through and review the document with changes before motions were made. At this time Sprinkle withdrew his motion. The board will review this document prior to the next meeting.

In discussing a statement to be included in the plan from the planning board, the board felt that Roland should come up with a statement thanking everyone who donated their time and effort into this plan together.

### **Public Comment:**

Albert Weirick- Made suggestions that the slope recommendations include a 1 million dollar insurance policy for grading contractors at minimum. Also he felt that a bond provision be included in the ordinance as well.

**Next Meeting Date:** The next meeting will be held on April 21, 2011. The location will be at the Macon County Public Health Center.

**Meeting Adjourned:** Alan Marsh Made Motion to adjourn Meeting at 6:00 pm. Jimmy Goodman seconded this motion.