**FRANKLIN COUNTY AREA PLAN COMMISSION MEETING**

**MEMORANDUM & MINUTES**

**JUNE 12, 2013 @ 7:00 PM**

**COMMISSIONERS/COUNCIL PUBLIC MEETING ROOM 203**

**Those present**: Area Plan Commission Members: Joe Gillespie Rick McMillin Joe Jonas Haroline Ison Anna Morrow Ed Derickson Deborah Neanover

Commission Attorney: Tammy Davis

Executive Director: Larry J. Franzman

Recording Secretary: Cindy C. Orschell

Mr. Gillespie opened the meeting with the pledge of allegiance.

**MINUTES:** MOTION – Mr. Jonas motioned to approve the minutes of May 1, 2013, Mrs. Neanover 2nd. AIF. MC.

**RZ-1-13-19148 FOR CEDERWOOD DEVELOPMENT** as applicant for CVS to change the present zoning designation from Residential Business on Lot 4 B.R.; Pt. Lot 3 WWB; Pt. Lot 29-30 & Lot 33 WWB; Pt. Lot 29 WWB; Pt. Lots 29-30-32 WWB; Lot 31, Pt. Lot 29-30-32 WWB; 65 ft. W End Lots 1-2 WWB; E Pt. Lot 1-2 WWB, .205 Ac; and Pt. Lot 2-3 WWB located in Brookville Corporation on Main Street, US 52, Butler Street and Cliff Street. Mr. Brian Grassa of Cedarwood Development was present along with Steve Brehob of Smith Neubecker & Associates, Inc. The rezone is for a new CVS Pharmacy store, the building will be 13,225 square feet with drive-thru lanes, widening Butler Street to 24 feet complete with curb, sidewalks, gutter and storm drains, access points will be from US 52 (right in and right out) and 2 on Butler Street, a retaining wall on Cliff Street. The board will be making a recommendation to the Town of Brookville. Mr. McMillin questioned if we have a petition signed by 60% of the property owners asking for the rezone under Section 80.11.09? Mr. Franzman explained all property owners have signed a purchase agreement and in the agreement it allows Cedarwood Development to represent them in the rezone, that is also Mrs. Davis’s understanding. Mrs. Ison expresses her concern that if this falls through with CVS and the property is rezoned their tax rates will go up if the rezone goes through. It was a feeling that the property being zoned business has no bearing on the tax rate, Sharon Halcomb, County Assessor could answer that question. Mr. Grassa questions if the board would send a recommendation with the contingency on getting 60% of the property owners. Do we need a consensus to proceed with this application or continue it? There was a general consensus of the board to proceed with the application. Ms. Sharon Beckort, adjoining property expresses her concern for traffic. Mr. Gary Marmouze, adjoining property owner expresses his concern on the two entrances/ exits on Butler Street and traffic. Mrs. Patricia Marmouze questioned them being aware of the bus stop on the corner of Butler and Cliff Street. Mr. Jim Suhre questioned if they have 100% of the property owners approval, what are the plans for the old building, where is CVS headquarters, is this a public stock company, is the parking lot going to be lighted, there are rumors of CVS asking for tax abatements, grants or creating a TIF District? Mr. Grassa replied yes they have 100% property owners approval, they don’t own the existing building, the headquarters are located in Rhode Island, yes it’s a public company and yes the parking lot with be lighted, and CVS isn’t using any tax monies, no TIF, or tax abatements. MOTION- Mr. McMillin motioned to give a favorable recommendation to the Town of Brookville contingent upon fulfilling the 60% rule under Section 80.11.09, Mr. Jonas 2nd. AIF. MC.

**BARRICKLOW CASE**- Mr. Franzman informed the board that Mr. Barricklow could be looking at some fined from IDEM and he is wanting to do some clean-up to get in compliance. Photos were presented. Mrs. Davis has met with Mr. & Mrs. Barricklow. Mr. Gillespie questioned if Mrs. Davis if Mr. Barricklow will commit to clean-up? Mrs. Davis informed Mr. Barricklow if he was willing to clean-up, she will see if the offer for the County Commissioners to help with clean-up still stands; Mr. Barricklow would not commit to anything. Mr. McMillin recommends holding an executive session to discuss this case. Executive session will be held on Wednesday, July 24th at 6:30 p.m. prior to the regular scheduled meeting at 7:00 PM.

**SUBDIVISION REPLAT**- Dennis Kolb questioned Mr. Franzman on lot 5 in Bates Farm Subdivision if it needs to be replatted if they are taking approximately 11 feet from one lot to another to change the entrance due to IDOT’s recommendations. It was general consensus of the board that a replat wasn’t necessary.

**AL ROGIER, HICKORY ROAD**- Mr. Rogier bought property with a pond and a dam of 32 feet, the DNR contacted him informing him that he will need an engineer to establish paperwork on the dam or take it down to 20 feet. Mr. Rogier is questioning if the APC can assist him with this? There is nothing the APC can do in this situation.

**2013 BUDGET-** Mr. Franzman presented the board with the 2013 budget and it needs to be turned into the Auditor’s Office on the 21st. If the board has any questions or concerns, Mr. Gillespie says to contact him.

**ADJOURNMENT:** MOTION- Mr. Jonas motioned to adjourn the meeting, Mrs. Ison 2nd. AIF. MC. Meeting adjourned at 8:29 p.m.