

**The meeting of the Berne Plan Commission was held on the 8th day of April, 2013 at 6:30 pm. in the Conference Room at City Hall, Berne Indiana.**

**MEMBERS PRESENT**

Phil Provost	Gregg Sprunger
Jerry Burke	Brent Lehman
Don Sipe	Gwen Maller
James Flueckiger	

**MEMBERS ABSENT**

Dean Hendricks	Ned Liechty
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**STAFF PRESENT**

Director, Shannon Smitley

**City Representatives Present**

Mayor Bill McKean.	Kurtis Dailey
Gary Nussbaum	City Attorney Jim Beitler

Guests present: David Baumgartner with Baumgartner Beitler, Law Office; Dave Sturwald, 355 W Franklin Street.

After opening with prayer, Gregg Sprunger called the meeting to order and verified a quorum. The hearing was properly advertised and an agenda was posted at the door.

**Re-Organization of the Board for 2013**

On a motion by P. Provost and a second by D. Sipe, the following were unanimously elected on a vote of 7-0

**President-** Gregg Sprunger

**Vice President-** Jim Flueckiger

**Secretary-** Ned Liechty

**Public Hearing PC 2013-1 Development Plan filed by David N. Baumgartner on property at 356 W Main Street, Berne Indiana.**

Gregg Sprunger opened the hearing and stated that Jim Beitler, who is a partner in the Baumgartner Beitler Law Office, has recused himself from the hearing due to a possible conflict of interest.

Dave Baumgartner explained that he plans to build a law office and title search company in the center of the lots at 356 and 366 Main Street. These lots were issued a Special Use Variance at an October 11<sup>th</sup> 2011 at a public hearing of the Berne Zoning and Appeals Board.

Dave reviewed the plans that include the offices, which will be approximately 3,400 square feet with off street parking in front of building that faces Main Street, eliminating the need for parking spaces behind the building.

Shannon explained that there is currently no storm water drainage in the Main Street/Indiana Street area. Although the runoff is not significantly more than the houses that stood on the lots, Shannon explained that Dave has voluntarily allowed for drainage by installing inlets on his parking lot which will connect to Franklin Street via a 15 inch pipe. The Stormwater Board will be asked to pay for the materials with the exception of the inlets for the parking lot which will be paid for by Dave. Dave has also agreed to pay for the cost of the installation of all of the materials and any cost for repaving etc. This drainage will be routed to the South Trunk Line via the Franklin Street/Indiana project.

Jerry asked if traffic is still going to be using the alley off of Franklin, expressing a concern for the safety of children. Dave said it is still a possibility, even though the building is set further to the south based on concerns expressed at the BZA hearing. Dave stated that he still plans to add a speed bump in the alley.

After hearing those who wished to be heard and on a motion by J. Flueckiger and a second by J. Burke; Development Plan PC 2013-1 was unanimously approved as presented. 7-0

## **Regular Meeting**

### **Approval of Minutes**

On a motion by G. Maller and a second by D. Sipe, the minutes of August 20, 2012 were unanimously approved as written.7-0

**New Business** Gregg introduced Brent Lehman as the board member representing the fringe area. Brent replaces Bruce Lehman.

Shannon advised the Board that Smith Brother's will be asking for a hearing as soon as they are ready, and it might be between the normal schedules. He will advise the board accordingly.

**Old Business** None

### **Closing of Meeting**

Therefore, upon a motion by D. Sipe and a second by B. Lehman and unanimously carried, the agenda was incorporated into the minutes and upon a motion by P. Provost and seconded by J. Burke and unanimously carried, the meeting was adjourned. 7-0