

Berne Plan Commission  
158 W Franklin Street  
Thursday, May 29, 2014  
6:30 pm  
Minutes

Jerry Burke	• Absent	Rod Mosser	• Absent
James Flueckiger	Present	Phi Provost	Present
Greg Keller	Present	Don Sipe	Present
Brent Lehman	Present	Gregg Sprunger	Present
Gwen Maller	Present		

Staff Present

Director Shannon Smitley

City Attorney Dave Baumgartner

City Representatives Present

Mayor Bill McKean

Kurt Dailey

Others present; Brett Miller of Miller Engineering, 20 Town Drive Monroe; Amos Bauman Fort Wayne, Adam Lehman, Lehman Feed Mill. 5111 S 000 Road, Berne; Mike Swinford, Briner Building Inc. Bluffton; Jeff Lehman, Lehman Feed Mill 5111 S 000 Road, Berne.

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.

PUBLIC HEARINGS:

**Hearing 1**

Development Plan PC2014-4, filed by Kirk Johnson, for his property at 1080 West 500 S, Berne Indiana for the construction of a 9,100 S.F. addition to an existing 4,944 S.F. commercial building.

Brett Miller, Miller Engineering, representing Swissland Cheese presented the board with the plans as stated. Brett said that access for semi-truck traffic off of County Road 500 will be on the west side of the property and will use the private drive owned by Habegger Ace Hardware. Traffic will exit on to County Rd 500 to the east of the building.

In reviewing the Plan Review Memo from Roger Kottlowski, Commonwealth Engineers, and City of Berne engineers. Brett said that he had responded in an email to Roger addressing Roger's concerns, but had not heard back yet.

Two other concerns from the city engineer was to insure that the project received approval from the Adams County Drainage Board because the proposed addition is located within a regulated drain. According to Brett, this has been approved by Paul Norr, Adams County Surveyor.

Comment 2 was the aggregated stone parking being semi private and not a right-of-way for other traffic. As already noted, a verbal agreement exists between Mike Habegger of Habegger Ace Hardware and Kirk Johnson, Swissland Cheese.

City Attorney Baumgartner advised both parties to consider a legal document so the verbal understanding would be in writing, even though it is a private drive. Should the two parties choose to do that, Shannon asked for a copy for his files.

With no additional questions or comments, Greg Keller made a motion to approve Development Plan PC2014-4 contingent to the approval of Roger Kottowski Commonwealth Engineers, for the storm water drainage plans. Jim Flueckiger made the second and the motion was unanimously approved by a show of hands. Yeas-7 Nays-0

Shannon will be copied on the response to Brett from Commonwealth until the drainage plans are approved by Roger.

## **Hearing 2**

Development Plan PC2014-5, filed by Lehman Feed Mill (Adam Lehman) for their property at 5111 S 000 Berne Indiana for the construction of an 11,960 S.F. building.

Board member Brent Lehman recused himself from the hearing because he is also employed by Lehman Feed Mill.

Brett Miller, representing Lehman Feed Mill presented their plans for the construction of a 11,960 S.F building at the feed mill which to tear down an existing building and replace it with the new addition in basically the same location.

Brett stated that he contacted Paul Norr, County Surveyor and also Roger Kottowski of Commonwealth Engineers and neither had concerns about any additional storm water runoff since the footprint is not changing a lot. The truck dock that will a trench drain that will empty in to the side ditch.

With no additional questions or comments, Phil Provost made a motion to approve Development Plan Hearing PC 2014-5 for Lehman Feed Mill as presented. Gwen Maller made the second and the motion was unanimously approved by a show of hands. Yeas-6 Nays-0 with 1 abstention.

## **REGULAR MEETING**

**Approval of Minute:** On a motion by Greg Keller and a second by Don Sipe, the minutes of May 12, 2014 were unanimously approved as written. Yeas-7 Nays-0

**Old Business** None

**New Business:**

Eastview Apartments- Shannon updated the board that Quad Properties will be starting the 6<sup>th</sup> apartment unit at the Eastview Apartment complex. The Development Plan for units 5 & 6 were approved at the December 11, 2011 Plan Commission hearing.

Appointment for two citizen members from the Plan Commission to the Architectural Committee. On a motion by Brent Lehman and a second by Greg Keller, the board unanimously approved the appointment of Jerry Burke and Rod Mosser to the Architectural Committee.

On a motion by Gwen Maller and a second by Don Sipe the meeting was adjourned.