

**Planning and Development Committee  
Meeting Minutes for October 3, 2019**

**Members Present:**

Mick Madison, Chairman  
Philip Chapman  
Dalton Gray  
David Michael  
Nick Petrillo  
Robert Pollard  
Ray Wesley

**Members Absent:**

Larry Trucano

**Others Present:**

Breana Buncher	Justin Venvertloh	Stephanie and Alec Lebro
Noelle Maxey	Brett Schwalb	Brian and Angie Highlander
Chris Doucleff	Ron Isenberg	Steven Lebro
Jack Humes	Kelly Westfall	

**Call of Meeting to Order and Roll Call:**

Chairman Madison called the regular meeting of the Planning and Development Committee to order at 5:00 p.m. and conducted roll call.

**Approval of Minutes:**

Chairman Madison asked the committee if any changes need to be made for the September 5 minutes. Chairman Madison approved the minutes.

**Zoning Petitions and Subdivision Overview:**

None.

**Pre-Application Presentation:**

Justin Venvertloh, representative for Premier Homes, developer of Shadow Wood Subdivision Phase 2, presented the preliminary plat and concept plans to the Committee. Mr. Venvertloh described the layout and types of homes that will be included in the subdivision. Chairman Madison asked where the subdivision will be located, to which Mr. Venvertloh responded that it will be just south of Triad High School in Troy. Mr. Michael asked how wide the roads are, to which Mr. Venvertloh responded that they are traditional two-lane roads with fifty feet of right-of-way. Mr. Chapman asked if the attached villas are the same as a duplex. Mr. Venvertloh stated that is correct, and that they will be constructed on one lot split down the middle that can each be sold individually after being built.

**Citizens Wishing to Address the Committee:**

Jack Humes, attorney for Pro Excavating and Grading, LLC, asked for an additional sixty-day extension, as the same issues are ongoing, and an agreement has not been met with Madison County Transit.

**Unfinished Business:**

Chairman Madison brought in Resolution Z18-0052, petition of Pro Excavating and Grading, LLC, for a motion to approve postponing for another sixty days. Mr. Wesley made a motion for postponement. Seconded by Mr. Michael. Roll-call vote. All ayes. Motion approved.

Chairman Madison brought in Resolution Z19-0035, petition of Angelina A. Highlander, for discussion. Chairman Madison described conversations that he had with Mrs. Highlander and Mr. Steven Lebro. Mr. Wesley asked if there have been any more issues with the neighbors since the previous meeting. Chairman Madison stated that the motorcycles have been sold except two Harleys and asked the applicants and neighbors to treat each other well and give Mr. Lebro a second chance before taking his home away. Mr. Wesley asked what the Committee can do after approval if the same issues start occurring again. Mrs. Buncher responded that you can revoke a Special Use Permit, but it is difficult to do, and if there are any other code enforcement or zoning violations, then action can be taken against the property owners. Mr. Petrillo asked if the picture in the staff report of the mobile home is recent and if it still looks like that, to which Chairman Madison and Mr. Doucleff responded that it does. A discussion ensued about what happens after the holder of the Special Use Permit moves out of the mobile home, particularly if they sell or rent without letting the new occupant know about the Special Use Permit or without letting the Committee know that the occupancy has changed. A discussion ensued regarding the authority of the Committee to approve or deny a request based on issues that are the responsibility of law enforcement. Mr. Wesley made a motion to override the recommendation of denial from the Zoning Board of Appeals and approve the request for a Special Use Permit with the listed conditions. Seconded by Mr. Michael. Roll-call vote. All ayes. Motion approved.

**New Business:**

Chairman Madison introduced the Resolution to approve the text amendment to Chapter 90 Building Regulations. Chairman Madison asked for a motion to postpone until the next meeting for Mr. Brandmeyer to explain the changes being made. Mr. Michael made a motion to postpone. Seconded by Mr. Wesley. Chairman Madison stated that the Resolution cannot be voted on since it is under new business, and it would be discussed next meeting.

Chairman Madison asked for a motion to approve the Purchase Order Report. Mr. Wesley made a motion for approval. Seconded by Mr. Michael. Roll-call vote. All ayes. Motion approved.

**Administrator's Report:**

Mr. Doucleff led a discussion regarding the upcoming resolutions to either prohibit or permit the sale and/or production of adult-use cannabis in certain districts in unincorporated Madison County and the taxation on the sale of adult-use cannabis. Mr. Michael asked which zoning districts were being considered, to which Mr. Doucleff stated that decision has not been made yet. A discussion ensued about the licensing and placement of potential dispensaries and about the effects in other states after legalization.

**Adjournment:**

Mr. Gray made a motion to adjourn the meeting. Seconded by Mr. Pollard. Voice-vote. All ayes. Motion approved.

Meeting adjourned.