

**Indian Head Planning Commission Meeting Minutes**  
**Indian Head Pavilion**  
**March 15, 2017**

Michael Pellegrino called the Planning Commission meeting to order at 7:05p.m. Members in attendance:

Michael Pellegrino, Chairman  
Thomas Blake  
Mary Armstrong  
Thomas Gordon

Staff in attendance:  
Ryan Hicks, Town Manager  
Lucinda Stevens, Zoning Administrator  
Andrea Brady, Clerk

Approval of Meeting Minutes for January 18, 2017 and February 15, 2016 Public Hearing Minutes– Chairman Pellegrino requested a motion to approve the minutes as presented. Thomas Gordon made a motion to approve the minutes. Mary Armstrong seconds the motion. Motion carried.

Discussion of CIRI Zoning Map Amendment – Chairman Pellegrino began the discussion with a brief summary of the process so far. A public hearing was held on February 15, 2017 to review the request of the petitioner for a zoning change based on a mistake in the Zoning Ordinance. The petitioner argued that the Open Space split zoning on the parcel was a mistake and an arbitrary line. The Planning Commission must make a recommendation to the Town Council for the appropriate action to take. The Zoning Administrator’s staff report suggests approval of the petitioner’s request. The Commission also received input from the public.

Thomas Blake stated that based upon the public hearing and the petitioner’s presentation he feels the petitioner satisfied the burden to prove a mistake was made. Mr. Blake also mentioned that the proposed plan for the property still protects and preserves green space and he feels the Commission should honor the request of the petitioner and the zoning should be changed.

Thomas Gordon asked what role the Commission would play in other aspects of the proposed development. Chairman Pellegrino explained that there would be at least two more submissions to the Commission for the proposed development and the Commission would have additional say throughout the process. Thomas Gordon felt the petitioner presented a good argument and he would not stand in the way of approval.

Mary Armstrong asked if there would still be 7 acres of protected area. The preliminary plan does include 7 acres of proposed green space. Ms. Armstrong felt that based on the public hearing minutes the Open Space zoning was a mistake and there was so much lost history on how the change originally occurred that the Commission has to decide if they are going to keep arguing the topic or vote on what to do.

Thomas Blake made a motion to recommend the approval of the petitioner's request. Thomas Gordon seconds the motion.

Following the motion the Commission discussed the matter further.

Thomas Gordon did not care for the Town being presented as having made a mistake in the zoning and while he is ok with changing the zoning he does not feel the Open Space zoning line is necessarily arbitrary.

Thomas Blake did not feel that the petitioner was pushing the Town being at fault for the mistake. The petitioner approached it as they didn't know about the change or they were not knowledgeable of the changes at the time they were made. Mr. Blake didn't feel the petitioner was blaming the Town, he felt they were just trying to move forward with development of the property. Mr. Blake also noted that with the preliminary plan the petitioner is still preserving green space.

Mary Armstrong asked what the proposed use of the TCMX zoning is if the change is approved. Mr. Pellegrino said the intent on the preliminary plan is housing. Ms. Armstrong stated she agreed the zoning should be changed from Open Space to TCMX.

Mr. Pellegrino stated that the Zoning Administrator's staff report suggests approval with conditions. The conditions were as follows:

- Based on a topographical survey of the property and environmental analysis by the applicant, and input from DNR, place in a perpetual conservation easement all forest areas, streams and their buffers, and steep slopes, not proposed for development. This will include the northern and perhaps southern areas of the property.
- Allow a natural buffer to remain along the common property boundary with the Navy Base.
- Comply with the provisions of the Town's Forest Conservation Ordinance with any required reforestation implemented within the Town of Indian Head, if possible.

Thomas Gordon pointed out that the first condition needs clarification. The Commission unanimously agreed that the word perhaps needed to be removed from the condition. The revised wording would change the last sentence of the condition to: This will include the northern and southern areas of the property.

Thomas Blake amended his motion to recommend the approval of the zone change from Open Space to TCMX to include the conditions in the staff report dated December 12, 2016 with the revision to the first condition to remove the word perhaps from the last sentence.

Thomas Gordon seconds the motion.

Chairman Pellegrino asked if there were any further comments from staff.

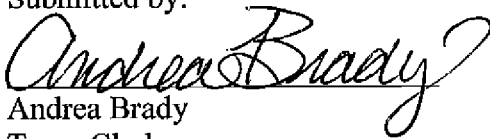
Lucinda Steven's stated that she agreed with the staff report as written and she still feels the intent of the original zoning will be met with the zoning change.

Chairman Pellegrino called for a vote on the motion. The motion was approved 3 ayes to 0 nays. Chairman Pellegrino abstained from voting and three members were absent and therefore unable to vote.

Ms. Steven's will prepare a memo to the Town Council summarizing the Commission's recommendation and the minutes from the February 15<sup>th</sup> public hearing, the minutes from the March 15<sup>th</sup> Planning Commission meeting and the staff report will be included as attachments.

Without further comment, Michael Pellegrino requested a motion to adjourn. Thomas Blake made a motion to adjourn. Thomas Gordon seconds the motion. Motion carried. Michael Pellegrino adjourned the meeting at 7:30pm.

Submitted by:

  
Andrea Brady  
Town Clerk

5/31/17  
Date