

**NASHVILLE DEVELOPMENT  
REVIEW COMMISSION MEETING  
TUESDAY, NOVEMBER 16, 2010**

**Commission members present:** President Suzannah Zody, Vice-President Brenda Young, Member Tess Kean, Member Richard Kelley, Member Connie Percifield and Member Rosemary Saurer.  
**Commission member not present:** Member Anna Cassidy. Also in attendance – Town Superintendent Roger Bush, Chief Administrator Phyllis Carr and Indiana Landmarks Representative Laura Renwick.

**REGULAR COMMISSION BUSINESS**

**1) CALL TO ORDER:** The meeting was called to order by President Zody at 6:00pm.

**2) ROLL CALL:** The roll was called by Chief Administrator Carr.

**3) APPROVAL OF THE MINUTES**

Vice-President Young made a motion to approve the minutes from the October 7, 2010 site visit to the Family Fun Center property and the October 19, 2010 meeting as presented. Member Percifield seconded the motion. All were unanimously in favor.

**4) CERTIFICATE OF APPROPRIATENESS APPLICATION**

**A. PUBLIC HEARING – AMERICAN ENVIRONMENTAL CORPORATION –  
KIMBERLY JURCZAK – 216 S. VAN BUREN – DOCKET #10-60**

President Zody advised Kimberly Jurczak was present to represent the project and also had sample materials on hand for the Commission to review. Ms. Jurczak explained the sample materials represent what will be used to fill in the exaction area. The materials consist of pit run and then #8 stone. President Zody clarified the excavation area will be in the front of the building from the green railing up to Van Buren and all the way to Washington Street and all the way to the BP gas station property line. Ms. Jurczak advised the sample materials in the jars are the landscaping options. Option #1 will be pit run on the bottom and the top layer will be #8 stone. Ms. Jurczak added if the property does not sell within one year, they will do Option #2 which consists of them coming back and putting topsoil and grass on top of Option #1. President Zody clarified from a previous meeting that all the putt-putt structures will be removed.

President Zody summarized that for one year Ms. Jurczak is proposing the area will show #8 stone and if the property has not been sold one year later they will add topsoil. Ms. Jurczak explained they would like to go with Option #1 as they see this as the easiest way for prospective buyers to use the property. If they were to put topsoil and grass seed down, the buyer would have to remove the top layer before they could do something with the property. Indiana Landmarks Representative Renwick noted it could be longer than one year for the topsoil and grass seed due to weather conditions in the winter.

President Zody asked for questions from the audience. Mike Thompson, a neighbor to the property in question, asked what plans are there for the west side of the property. Ms. Jurczak explained they do not have plans for the west side of the property as the soil analysis that was done did not show that area being contaminated. Another audience member asked once the remediation is done, will the restrictive covenants still remain on the property. Mark Bowman, representing the property for Salin Bank, reported the restrictive covenants will remain. An audience member asked if the site will be cleaned up to the commercial levels or residential. Ms. Jurczak reported they will go for levels that are below commercial levels, but it will depend on what they find on the site and they won't know until they

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excavate. She explained they will have a PID instrument to show them the levels they have in all the excavation areas and will continue to excavate until they have clean soil. An audience member commented that she is concerned about them leaving the area a gravel lot for an extended amount of time.

One audience member asked about the area to be excavated and noted the whole lot will not be excavated. Ms. Jurczak explained they probed the middle of the two proposed excavation areas and it was totally clean. They will take off the top layer of the middle area anyway in order to level out the entire area. However, during the excavation, they may find they need to take more of the clean probe area out than they expect, but they won't know until they start digging. An audience member asked if they had done any testing inside the building. Ms. Jurczak said they did not test inside the building and they do not plan on testing inside the building.

President Zody addressed Marge DeGlandon, the realtor for the potential buyer, and asked if there was any information from the potential buyer that may help in deciding how the property might be used. Ms. DeGlandon advised they are still in negotiating status at this point. There are still contingencies to be met and the buyer is working toward a putt-putt course.

Member Kelley asked how long the process will be once they start excavating. Ms. Jurczak will have the excavation process take two weeks or 10 working days. This will include backfilling the area. Ms. Jurczak clarified the area that will be excavated and that they will level the entire area to the sidewalk level based on soil samples.

Commission President Zody opened up the table to questions from the Commission members. Member Saurer talked about the gravel and drainage. Ms. Jurczak explained the #8 stone will drain the runoff water a little bit better than the compacted stone first proposed. Member Kelley read from the guidelines where the area should be left clean, graded and seeded after demolition which would be sort of the same process with the excavating that is being done. Commission Vice-President Young commented that she would not want to wait twelve months for the area to be seeded. President Zody agreed that twelve months is too long to have the area looking like a gravel parking lot. She suggested they have the topsoil put down by the first of March or the DRC will have a Certificate of Appropriateness in front of them by the new owners who are willing to do immediate work to the site.

Indiana Landmarks Representative Renwick noted the guidelines also talk about not adding barren spaces which is what the area would be if it were just gravel. Also the guidelines talk about using green space when landscaping to help with surface water runoff and to minimize the use of hard features including rock materials. Indiana Landmarks Representative Renwick asked if there is a specific plan with Option #1 in keeping the area free of vegetation. Mr. Bowman advised they would hire someone to monitor the area.

Member Percifield asked if there would be any kind of barrier or fencing to keep vehicles off the lot if they do go with Option #1. Ms. Jurczak believes it would be difficult for people to drive over the sidewalks to park, but they could do a provision to put some fencing up to detour parking in the area.

Member Kean asked how the area will look once the excavation is done. Ms. Jurczak explained they will remove the top three feet of the area not being excavated and level the area to a gentle one foot slope out from the building to the sidewalk.

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Member Kelley asked if Ms. Jurczak's company is willing to put down topsoil and seed the area sooner than a year. Ms. Jurczak advised her company could do this, but Salin Bank still owns the property and they would prefer to keep the area as a gravel lot because of ease of use for potential buyers. Mr. Bowman advised all but one of the potential buyers were interested in converting this site into a parking lot; one buyer is considering putting in another putt-putt course. Once they get the unknown underground issue fixed, he believes the property will sell quickly.

An audience member asked how long the property would be monitored for contamination. Ms. Jurczak advised they would be monitoring the property for at least one year after the excavation. If they find contamination issues they will do some chemical injections or they may have to expand the remediation system on the property. Ms. Jurczak noted they will check the monitoring once a quarter.

President Zody reiterated twelve months is too long to have the area as a gravel lot. Mr. Bowman asked if the Commission would accept six months. Vice-President Young appreciated the compromise, but she believes if the property is not sold nor has an offer with a plan for the property by March 1, 2011 the lot should be topsoiled and seeded. This should be completed by April 1<sup>st</sup>.

Town Superintendent Bush suggested maybe putting in a strip of soil and grass, then planting shrubs or hedges to soften the look in the front. This may also alleviate the fence problem of allowing cars onto the property. Discussion. Ms. DeGlandon understands the back section of the lot will be left alone and suggested they look at the whole property and what could be done with it. Discussion.

Mr. Bowman clarified what Town Superintendent Bush was saying in that he was suggesting hedges to eliminate the possibility of people parking in the area. Town Superintendent Bush added the hedges would also help to obscure the gravel from the street view. The landscaping strip could be two feet wide of grass including the bushes. President Zody added if the bushes were at least two feet high this would also help to block the view. Discussion. Member Saurer suggested they install yew bushes as they are easy to grow and readily available. President Zody would like some specific landscaping plans prior to approving the COA. Vice-President Young asked Ms. Jurczak if the Commission were to approve specific plans next month, would the excavation still be able to take place in January. Ms. Jurczak explained her bid process and if the Commission were to approve the COA at the December 21, 2010 meeting this would push back the dig until February. President Zody commented that the Commission could approve all top soil and seeded at this meeting or wait until the next meeting to look at landscaping plans that allow for gravel and hedges. Mr. Bowman commented that he would prefer waiting the month and having the gravel and hedges approved. Discussion. Mr. Bowman confirmed they would install an "L" shaped hedge to block the view of the gravel.

President Zody suggested if the Commission is willing to approve the hedges and gravel, they should table this application and address the application at the next Development Review Commission meeting. Ms. Jurczak informed the Commission that they would reinstall the retaining wall on the south end of the property after the excavation. She will look into how they will finish out the grade and provide plans.

President Zody asked the Commission members to a vote if they are in favor of considering the hedges with an improved landscaping plan. Member Percifield wants to give this option more thought but at this time she would prefer topsoil. Member Kelley prefers topsoil. Vice-President Young prefers topsoil but she is willing to look at what a landscape plan would look like with hedges. However she would be concerned if the property stayed this way for a long time it would not properly be maintained. President Zody commented that she is ok with the hedge with a very specific plan and taking into

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account maintenance. Also if the property was not sold by the end of the year they would want the area replaced with topsoil. Member Saurer is alright with the hedge but if the property does not sell it needs to be turned into something more welcoming to Nashville. Member Kean agreed that the hedge is a good start, but it should not be left that way indefinitely. Discussion. President Zody summarized four Commission members would consider a hedge and two Commission members were in favor of topsoil, so the majority will consider a hedge with the right plan and as an interim measure. Member Saurer asked that they all go on site and look at the area once again with the landscaping plans in mind. Indiana Landmarks Representative Renwick remarked that she is willing to look at hedges as a possible solution but she believes the maintenance is very important and that the hedges are large enough to provide that visible barrier. President Zody suggest the Commission members go to the site on their own to view the project as they do not want to hold up the project any longer than necessary.

Ms. Jurczak advised if the plans were approved at the December 21<sup>st</sup> meeting, she would have a pre-bid on-site contractor meeting the first or second week of January, the week after that the bids would be due and depending on the chosen contractor's schedule it would probably be February before the contractor could do the excavations.

Member Kelley made a motion to table this COA until the next Commission meeting on December 21, 2010. Vice-President Young seconded the motion. All were unanimously in favor. President Zody asked that the detailed landscaping plans be submitted to the Town Administration prior to the December meeting so the Commission members would have time to review the plans. Chief Administrator Carr asked that the plans be turned into her prior to December 13<sup>th</sup> as she will be on vacation the following week. President Zody asked that the landscaping plans include type of plants, dimensions, spacing, maintenance commitments as well as the date the area will be completed with topsoil if not sold.

### **5) REPORT FROM TOWN ADMINISTRATION**

Nothing presented.

### **6) ANY OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION**

President Zody reported last week she attended the special joint meeting of the Town Council and DRC to review the demolition ordinance. They reviewed the State's ordinance for demolition and to summarize the meeting, the Town Council instructed Town Attorney Roberts to look into rewriting the current ordinance so the waiting period is as long as the State will allow which is one year. If someone wants to tear down an historic structure, they cannot stop them as the State does not give them the power to do so, but a one year waiting period will give the Town time to save the building or buy it. The Council considered also increasing the penalty to a daily penalty with a minimum fine.

President Zody advised owners of two historic buildings in town commented at the meeting that it is very expensive to maintain an historic building and they were wondering if the Town would consider tax breaks or tax incentives. The Town Attorney is to look into the legality of such tax breaks. President Zody asked Indiana Landmarks Representative Renwick to do research if there are other communities that offer incentives to landowners who restore and maintain historic buildings in exchange for registering those buildings as historic. Vice-President Young noted just because a building is registered it does not mean a building cannot be demolish or remodeled. She would like to promote the option of informing more property owners about the benefits of registering their historic properties.

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President Zody reported off-premise directional signs were also discussed at the special meeting. Celeste Kirlin, Zoning Inspector with Planning and Zoning, spoke with the group about a lack of ordinances regarding directional signs. With a lack of ordinances the signs could get out of hand but on the other hand not all the businesses are on the main streets and it is a way to attract tourists to side street businesses. President Zody advised it was suggested that town put together corner signs or marquees that would direct people to different shops. There were a lot of questions about funding and maintenance of this type of sign. The Council agreed to continue the discussion about this type of signage.

Pam Gould asked if an inventory has been done of significant buildings in the town, whether they are historic or not. She believes there may be some buildings that should be torn down and not given tax credits. Indiana Landmarks Representative Renwick spoke of the Brown County Interim Report which is an historic based inventory report. Mrs. Gould suggested they review that list to see what buildings are really salvageable for the future rather than just how long they have been around. Discussion.

Vice-President Young informed the Commission that she has appointed Pam Gould to be on the Development Review Commission beginning in January 2011.

Town Councilmember Buzz King asked if anyone remembered the 46 corridor project. President Zody reported this was Economic Development's strategic plan and vision to create an artistic lifestyle corridor between Columbus and Bloomington, kind of following highway 46. She advised those initiatives still continue as the CVB has just launched the Twisted Trail with the Monroe County CVB. Councilmember King thought the corridor area was from the stop light near the Snyder Farm and lining it with trees. Vice-President Young commented the town talked about this at one time. Councilmember King suggested trying to get the state involved in helping to make this corridor more appealing to the visitors that travel along this road. Vice-President Young suggested Councilmember King speak to the Council about this and perhaps ask their grant administrator ARa to look into grants for this type of project.

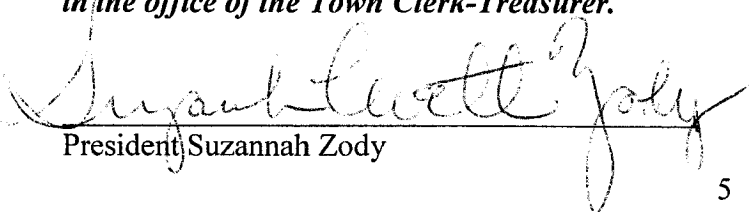
Member Saurer asked about the proposed bridge from the Brown County Inn to the other side of the highway. Councilmember King explained they talked about this many years ago and he thinks a wooden bridge would be a neat idea. He would even like to see a sidewalk along this area to make it safer for the increasing number of pedestrians.

Indiana Landmarks Representative Renwick asked about the status of the pavilion project. President Zody advised they will come before the Development Review Commission in December. The County Commissioners have given the go ahead for the project to proceed from their point of view. Vice-President Young noted Steve Alexander will come before the Commission in December as well.

**ADJOURNMENT**

Member Percifield made a motion to adjourn the meeting. Member Kean seconded the motion. All were unanimously in favor. President Zody adjourned the meeting at 7:28pm.

*The audio recording made at the Development Review Commission meeting on 11-16-10 is retained in the office of the Town Clerk-Treasurer.*

  
President Suzannah Zody

12/2/10  
Date