

CHESTERTON BOARD OF ZONING APPEALS
MARCH 23, 2017
6:30 P.M.

The meeting was called to order at 6:30 P.M. Present were members F. Owens, K. Goldak, R. Riley, J. Kowalski and President J. Ackerman. Town Engineer M. O'Dell was not in attendance. Attorney J. Paulson was present ad legal advisor. The pledge of allegiance was recited.

ELECTION OF OFFICERS

Member J. Kowalski moved to retain member J. Ackerman as president. The motion was seconded by member K. Goldak and passed by a unanimous voice vote.

K. Goldak moved to retain member F. Owens as vice president. The motion was seconded by member J. Kowalski and passed by a unanimous voice vote.

Member F. Owens moved to appoint G. Murawski as secretary. The motion was seconded by member K. Goldak and passed by unanimous voice vote.

APPROVAL OF MINUTES

Member K. Goldak moved approval of the minutes from December 22, 2016 seconded by member R. Riley and passed by unanimous voice vote.

PRELIMINARY HEARINGS

Thomas Edward Lipinski, Trustee under the Thomas Edward Lipinski, Living Trust Dated August 10, 2005 requesting a Use Variance to allow the placement of a landscape service in an I-1 Zone where the Ordinance does not allow for said use in the Town of Chesterton. **Petition 17-01** Attorney G. Babcock legal representation for the petitioner, sent correspondence requesting that this petition be continued until the April meeting.

Member R. Riley moved to grant the request to continue this item until the April meeting seconded by member F. Owens and passed by unanimous voice vote.

Jason T. Robinson requesting a variance to allow a new proposed duplex development be into front yard setback of 10 feet. A second variance is requested to allow lot coverage of 30% an increase of 7.8%. **Petition 17-02** Jason Robinson was present. He told the board he was interested

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in constructing a duplex on the two lots located in Pinneys Park across from St. Patrick's Church. He said he would be requesting the 10-foot front yard setback to keep the sight lines along with neighboring homes. The increased lot coverage request is driven by the desire to not have unsightly items stored outside. The construction of the garage/storage space would help alleviate that issue.

Attorney J. Paulson told the petitioner that the town engineer M. O'Dell had several concerns regarding the project. She noted several deficiencies with the petition which would include; the setbacks not being calculated correctly. Eaves and overhangs must be taken into consideration. The percentage of lot coverage needs a breakdown with all impervious areas taken into account. The petitioner would also need a variance for the existing shed on the property. Attorney Paulson suggested the petitioner meet with M. O'Dell to discuss the sight plan and the variances required. She commented that if variance requests were not clearly stated on an amended petition, the petition would not move forward for a public hearing.

Mr. Robinson said that the shed that currently exists on the property is the next-door neighbors. He did not want to ask them to move it. He said he understood the issues at hand.

President J. Ackerman cautioned the petitioner about moving ahead without getting all the requirements.

Member J. Kowalski suggested sitting down with M. O'Dell with a detailed site plan to go over all the variances required.

Member R. Riley questioned why the petitioner wouldn't consider setting the house back farther back onto the lot. He commented that sometimes it makes the project look more interesting.

Member J. Kowalski questioned the existing septic tank located on the site. Being in the town of Chesterton would require the project to be connected to the existing sewer system. He requested clarification on this issue.

Mr. Robinson said Dave Ryan told him that Pinneys Park has a small diameter sewer and the tank feeds into the sewer.

Member F. Owens thought that the septic tank might act as more of a lift station for that area where waste is stored for a slower release.

Member J. Kowalski asked if the site would have sidewalks installed.

Mr. Robinson said he had no problem with installing sidewalks but hadn't given them much thought.

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Attorney J. Paulson said the issues of sidewalks is a requirement that would need a waiver from the town standards. Again, she mentioned meeting with M. O'Dell.

Member F. Owens requested a breakdown of paved areas and impervious areas for lot coverage purposes.

There was some additional discussion regarding the issues raised by M. O'Dell and members of the board. Member J. Kowalski commented that there are too many unanswered questions to set this item for public hearing.

Member F. Owens moved to continue the preliminary hearing till the April meeting seconded by member R. Riley and passed by unanimous voice vote.

PUBLIC HEARINGS- None

OLD BUSINESS- None

NEW BUSINESS- None

MISCELLANEOUS BUSINESS- None

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ADJOURNMENT

There being no further business before the board member K. Goldak moved adjournment seconded by member J. Kowalski and passed by unanimous voice vote. The meeting adjourned at 7:05 P.M.

Respectfully submitted,

Gail A. Murawski, Secretary

Approved;

J. Ackerman, President