

**CHESTERTON ADVISORY PLAN COMMISSION**  
**SEPTEMBER 17, 2020**  
**6:30 P.M.**

The meeting was called to order at 6:30 P.M. Present were members F. Owens, T. Kopko, J. Trout, D. Marchetti, J. Kowalski, C. Hammar and President S. Darnell. Town Engineer M. O'Dell was in attendance. Attorney C. Parkinson was present as legal advisor. The pledge of allegiance was recited.

**APPROVAL OF MINUTES**

Member J. Kowalski moved approval of the minutes from August 20, 2020 seconded by member T. Kopko and passed by unanimous voice vote.

**COMMENTS FROM THE PUBLIC**

Mr. Don Tharp of 82 W. 1100 North, Chesterton was present. Mr. Tharp told the board his home is adjacent to the proposed 58-acre development known currently as PSR, LLC PUD. He expressed concerns about the proposed commercial portion which has now been moved nearer his home. He wondered what kind of businesses might go in there. He commented he had not received a certified letter letting him know what was going on with that development.

**PRELIMINARY HEARINGS**

**Olthof Homes Porter County Development, LLC. Amendment to a Planned Unit Development for Springdale Subdivision** Mr. Ed Rectenwall was present as representation for Olthof Homes Porter County Development, LLC. He distributed a color rendered site plan to the board. He gave a quick overview and history of Springdale Subdivision PUD residential and commercial project by Olthof Homes. He called attention to an amended PUD from 2018 where lot coverage is defined and floor plans and technical plans were amended. Upon submitting plans for building permits it was determined they had undercalculated impervious lot coverage calculations. Their miscalculations, based on floorplans for the smaller lots, came in at a range of 46 percent to 51 percent when in actuality they are coming in closer to 55 percent. The three building permits submitted for paired villas show lot coverage percentages at 54.4, 53.3 and 51.9 percent. They would be looking to simplify their table of lot coverage percentages by requesting an increase in lot coverage for the paired villa portion to 55 percent which is represented by the green color in the site plan. He commented that these villas are maintenance free products. There would be no accessory structures associated with these lots. Those restrictions are already in place. The thing that bumps up the lot coverage is the addition of patios and sunrooms. He solicited questions from the board regarding the paired villas.

Member T. Kopko wondered if their stormwater plan could handle the additional lot coverage.

Town Engineer M. O'Dell said they are required to do a rear yard drain on every other lot. He agreed that a single number for the percentage of lot coverage would simplify the buildout. The

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homeowner's product choice or their enhancements would be best kept under one specified percentage. Thirty percent lot coverage is the town standard.

Mr. Rectenwall said the blue color area on the site plan represents a portion of the residential lots. Those lots are currently at 30 percent lot coverage but they would be interested in bumping that up to 35 percent on those blue color smaller interior lots. There is one contracted home that has lot coverage of 31.9 percent. The builders choose to do a side extension garage and larger patio and that's what's pushing the number up. He commented that they have sold nine lots and only one has needed the increase lot coverage. Olthof Homes is trying to not limit the homeowner's options as this is one of the biggest investments people make. The 5 percent increase request would allow Olthof to still offer a wide range of options to the homeowner.

President S. Darnell clarified that with regards to the paired villas none of the Olthof floor plans fit within the town regulation lot coverage parameters.

Mr. Rectenwall said that's correct. "We totally missed the mark. We should have done our due diligence in understanding impervious area and did it right the first time."

Member J. Kowalski speculated that homeowners would want to add sheds. What if someone wants to put in a pool?

Mr. Rectenwall said Olthof Homes does not allow sheds in any of their communities. There are already restrictions in place regarding sheds. Homeowner's wanting pools would need to choose a larger lot.

President S. Darnell wondered if they had considered changing their product.

Mr. Rectenwall said that would be very difficult to do. He commented that they should have had a better understanding of lot coverage. He commented that they had built Morgan's Corner here in town and did not run into any issues like this.

Town Engineer M. O'Dell said Morgan's Corner had an 85 percent lot coverage percentage but that was 20 years ago.

Member J. Kowalski found it difficult to understand how Olthof could be building and not understand setbacks and lot coverage.

Member F. Owens commented that the five percent increase they are asking on the residential lots indicated in blue is not an insignificant amount.

Member D. Marchetti wondered if Olthof Homes had a Plan B if the commission did not approve the amendment to the PUD. He asked if they had ever made this mistake before.

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Mr. Rectenwall said they had never made this mistake before and currently there was no Plan B.

Member C. Hammar commented that she lives in an Olthof neighborhood and the drainage in the backyards is deplorable. Attempts to correct the standing water have been unsuccessful and when it rains the neighborhood has several corners that pool with water. Standing water brings bugs and mosquitos.

Mr. Rectenwall said they did have some existing conditions in Morgan's Corner. They did deal with alleys and try to rearrange storm structures. He commented that they could take a look out there if they missed something.

President S. Darnell expressed concerns about the drainage in this area. She commented that she has first-hand knowledge of the water issues because she lives in the area.

There was some additional conversation regarding the improvements and their engineering following the primary. There are storm sewer structures at every other property line. Mr. Rectenwall said they raised up the site up to manage the water table.

Members of the board deferred to Attorney C. Parkinson. He noted that the petitioner had not given them a proper Ordinance. What they got was a red line version of the existing Exhibit C. There might be a concession by the petitioner to remove some of the lots from consideration. He suggested the board consider continuing the preliminary hearing in order to work out some of the details. A proper Ordinance was requested.

Member J. Trout asked if there was a way to mitigate stormwater with the increased amount of lot coverage.

Town Engineer M. O'Dell said the requested increased in lot coverage for the 23 green color villa lots calculates to about 11,500 square feet which is  $\frac{1}{4}$  acre additional impervious area. A few things they could consider is to increase the size of the pond. The storm sewer has been established they can easily drop in an inlet on every corner.

Member F. Owens clarified that the infrastructure is all established. M. O'Dell said yes. He suggested using Lot 75 to add an extra five feet to Lots 61-70. A rear yard drain might then be added on every one of the interior lots. He commented that right now it's just lines on a paper.

Attorney C. Parkinson suggested continuing the preliminary hearing. It may be proper to send this back to staff. The developer would need to establish some written commitments or other guarantees to reduce the amount of water issues or perhaps consider a replat.

Member D. Marchetti noted that Lots 49-58 are still going to be too small for their product. So, the commission will still have to consider accepting lot coverage of 55 percent on those lots.

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Mr. Rectenwall said they were not opposed to moving the line and adding the five feet to Lots 50 to 57.

Member F. Owens commented that would be a good concession. Additionally, they should consider adding another rear yard drain to those interior lots abutting the single-family homes.

Town Engineer M. O'Dell commented that in the R-1 area there are already permitted homes that have fallen under to 30 percent maximum lot coverage requirement.

Member J. Kowalski commented that these increased lot coverage percentage requests cause tension for the BZA and Plan Commission.

Member J. Trout suggested moving property lines in the single-family/blue color area and using square footage from surrounding larger lots.

Mr. Rectenwall said at that point he would remove the single-family request. All the infrastructure is already in place.

President S. Darnell summarized tonight's discussion by clarified the following. One discussion was to move the line behind Lots 61-70 over. Another discussion included accommodating the product presented by Olthof Homes and increasing lot coverage on Lots 50-57. Lastly single-family would remain as platted and Olthof Homes would adhere to the Ordinance.

Mr. Rectenwall agreed with the above summarized discussions by answering yes.

Member J. Kowalski moved to continue the Preliminary Hearing for Olthof Homes Porter County Development LLC. seconded by member D. Marchetti and passed by unanimous voice vote.

**CONCEPT REVIEW**

**PSR, LLC PUD, 70 W. 1100 North, Chesterton-** No new information had been presented.

**PUBLIC HEARINGS**

**Olsen Farms, LLC, Requesting an amendment to Easton Park a Planned Unit Development** Rules for conducting a public hearing were read aloud. The secretary verified proof of notification, publication, and payment. Katherine Harris Vice President of Development for Olsen Farms LLC. was present. She respectfully requested three amendments to their PUD explaining that in Sections 8 & 10 they would be correcting lot numbers. In Section 8 the lots should be numbered 1 through 74 and in Section 10 the lots should be numbered 75 through 346. In Section 9 they would correct the villa lots which should

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be numbered 1 through 74. Furthermore, they are requesting to clarify language for lot coverage. The amended PUD language would exclude in the lot coverage description any sidewalks and streets and the ingress/egress.

There was no one present to speak in support of the petition.

There was no one present to speak in opposition to the petition. The public comment portion of the public hearing was declared closed.

Member D. Marchetti moved to forward a favorable recommendation to the Town Council for this item seconded by member T. Kopko and passed by unanimous voice vote.

**OLD BUSINESS- None**

**NEW BUSINESS- None**

**MISCELLANEOUS BUSINESS**

Attorney C. Parkinson informed the board that early voting at the town hall location would create a conflict with the regularly scheduled October 15, 2020 meeting. He suggested changing the meeting date or changing the meeting location.

It was the general consensus of the board to convene the October 15, 2020 meeting at the Chesterton Fire Station. The meeting would convene at its regularly scheduled time of 6:30 P.M.

**ADJOURNMENT**

There being no further business before the board member T. Kopko moved adjournment seconded by member D. Marchetti and passed by unanimous voice vote. The meeting adjourned at 7:27.

Respectfully submitted,

Gail A. Murawski, Secretary

Approved;

S. Darnell, President