

CHESTERTON ADVISORY PLAN COMMISSION
JUNE 17, 2021
6:30 P.M.

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

APPROVAL OF MINUTES

Member J. Trout moved approval of the minutes from May 20, 2021 seconded by member C. Hammar and passed by unanimous voice vote.

COMMENTS FROM THE PUBLIC- None

PRELIMINARY HEARINGS- None

CONCEPT REVIEW

Deerwood Crossing- Town Engineer M. O'Dell said the developer is waiting to get engineering comments for this item. This would remain on the agenda for the July meeting.

PUBLIC HEARINGS

PSR, LLC, 1100 Woods requesting plattage of real estate in Chesterton IN. Primary Plat Rules for conducting a public hearing were read aloud. The secretary verified proof of publication, notification and payment. Attorney G. Babcock was present as representation for the petitioner. Pranati Bansal a member of PSR, LLC. and C. Ray from The Duneland Group accompanied him. Attorney G. Babcock identified the proposed PUD Ordinance for the 1100 Woods Subdivision as being located on 1100 North, lying south of Dogwood Park and West of Stone Meadows Subdivision. PSR owns 58 acres, 41 of those acres are in the wetland delineated area, leaving 18.34 acres to be developed. It would contain 35 single family residential Lots. The entire subdivision would be Zoned R-1. This development was approved as a PUD Ordinance 20-21-01. There would be three stormwater detention ponds labeled as out-lots A, B, C. Out-lot D between Lots 23 and 24 has wetland delineations right now. It is not a buildable lot. There would be signage posted in the wetland area prohibiting infill debris or building in the wetland area abutting backyards. The 50-foot right-of-way along 1100 North would be a dedicated road. It would have a ribbon curb on its south side. There would be a deceleration/acceleration lane. There would be a 5-foot-wide sidewalk along the south side of the property on 1100 N. The existing ditch along the south side of 1100 N. would be covered. The water would be tubed to the detention pond and eventually outlet south.

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Out-lot B would contain the lift station which would be privately owned by the HOA. They would comply with the utility boards requirement for a sanitary lift station to collect and pump west to the manhole outside of Dogwood Estates.

Attorney Babcock in an attempt to satisfy concerns said they would commit to cleaning out a ditch running north and south along the western boundary. Furthermore, PSR would replace and maintain culverts on the southern boundary. The culvert would be inspected by the town once installed.

Attorney Babcock gave a quick rundown of the variances requested by PSR. He respectfully requested the board to consider approving the primary plat subject to the final construction review. There would be no building permit until the town engineer approves the construction drawings.

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

Evelyn Komenas of 1087 N. Pearson Rd., Chesterton In. was present. She spoke neither in support or against the petition. She expressed concerns about the culverts being maintained and installed. Additionally, she expressed concerns about the ditches being maintained. There were no other persons wishing to speak.

Attorney Babcock commented that the stormwater plan has always been to capture most of the stormwater in the three detention ponds. The outlet would be regulated at a rate not greater than it is today. He commented that PSR has an obligation to keep the culvert open as part of their stormwater management plan.

The public comment portion of the public hearing was declared closed.

Town Engineer M. O'Dell told the board they are still working through the drainage review and the concern with the wetlands. There is still work to be done with the sanitary lift station as well. He commented that they needed more time to get through the numbers.

Member J. Trout wondered if PSR was close to the "goal line" with obtaining approval. M. O'Dell said yes but we're not there yet. He seemed to give consideration to approving the primary plat contingent upon final approval of the construction drawings.

Member S. Darnell asked how much more time the building department would require to complete their review.

Town Engineer M. O'Dell said they would need a few more weeks for review. The big concern is there is a lot of fill on this sight. In the wetlands there is 5 or 6 feet of fill. They continue to work closely with C. Ray from the Duneland Group but "this is not a simple subdivision."

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Member T. Kopko wondered if this could be complete by the July meeting and if the building department would be more comfortable continuing the petition for primary plat until then.

Town Engineer M. O'Dell said that was his goal. It's a board decision.

Member S. Darnell emphasized the importance of communication between the town and Duneland Engineering group.

Vice President F. Owens said that as a member of the Plat Committee, he would feel more confident approving a completed plat. He questioned legal counsel if it was their right to continue this preliminary hearing.

Attorney C. Parkinson said absolutely. You have to consider whether or not you have a complete petition and if that petition/proposal has been on file for ten days prior to the public hearing. Your engineer is telling you he is not completely comfortable with approving the primary plat this evening. As a lawyer, "I'm having a hard time seeing the goal line pushed further and further."

Vice President F. Owens verified that the board could always reopen the public comment portion of the public hearing if new information is presented. Attorney C. Parkinson said yes.

Member T. Kopko moved to continue the public hearing for PSR, LLC, 1100 Woods until the July 22, 2021 meeting seconded by member C. Hammar and passed by a vote of 4 to 1 with member J. Trout voting no.

OLD BUSINESS

Lake Erie Land Company, Coffee Creek Center Planned Unit Development, 1st Addition, Phase C, Lots 13 through 19, Secondary Plat. Attorney K. Warren was present as legal representation for the petitioner. He was accompanied by Keith Sharpe the Project Manager for Lake Erie Land Company. This item was continued from the May meeting with letters of credit now in place. The petitioners are working in conjunction with Centier Bank and Attorney C. Parkinson. Mr. Sharpe told the board that the Letter of Credit for a Sidewalk Guarantee for Lots 7-12 had been obtained. A Letter of Credit for a Sidewalk Guarantee for Lots 13-19 had been obtained. A Letter of Credit for an Infrastructure Guarantee for Lots 13-19 had been obtained.

Attorney C. Parkinson said he had reviewed the letters and found them to be in good form. They were waiting on the signed copies. He advised the board they could approve Secondary Plat for Lake Erie Land Company, Coffee Creek Center Planned Unit Development, 1st Addition, Phase C, Lots 13 through 19. The infrastructure for Lots 7-12 has been installed and now it's a matter

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of getting a maintenance guarantee once it is inspected by the town. The only action necessary is the approval of Secondary Plat.

Member S. Darnell moved to approve Lake Erie Land Company, Coffee Creek Center Planned Unit Development, 1st Addition, Phase C, Lots 13 through 19, Secondary Plat seconded by member T. Kopko and passed by a unanimous roll call vote of 5 to 0.

Audra L. Peterson, Bell Peterson Subdivision, request to extend a sidewalk guarantee for Bell's Corner. The petitioner Audra Peterson was present. She said they are requesting an extension for this sidewalk guarantee. They had initially requested to reduce the amount because they have three lots that have been developed. The fourth lot has been sold on the corner of 15th Street and Porter Ave. They are planning to extend the guarantee for the lot on 15th Street as well. They are asking for a two-year extension but they intend to have the sidewalks installed for that section by next spring.

Attorney Parkinson said he is ok with the guarantee. The Letter of Credit is in the amount of \$9,940.24.

Member J. Trout moved to accept the sidewalk guarantee for this item in the amount of \$9,940.24 seconded by member C. Hammar. The motion was amended to release Letter of Credit 55000878-10008 and replace it. The motion passed by a unanimous roll call vote of 5 to 0.

Olthof Homes LLC, Springdale Phase 3, Secondary Plat. Mr. Ed Rectenwall was present as representation for Olthof Homes LLC. Phase 3 consists of two single family lots and nine duplex lots. Letters of Credit were not in place as they had recently submitted the schedule of values. He asked if the board might consider granting Secondary Plat approval for this item, contingent upon receipt of the guarantees.

Attorney C. Parkinson advised the board to continue this item since there were no letters of credit in place.

Town Engineer M. O'Dell said he would work with the petitioner to get everything ready for next month.

Member S. Darnell moved to continue this item until the July meeting seconded by member T. Kopko and passed by unanimous voice vote.

NEW BUSINESS- None

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MISCELLANEOUS BUSINESS

Expired Bonds and Letters of Credit (Released) Town Engineer M. O'Dell told the board he had no information to present as this time. This item would remain on the agenda.

Town Engineer M. O'Dell requested that the Deerwood Crossing Subdivision be placed on the agenda under Old Business. The subdivision had been approved over two years ago but there had been no construction started to date.

ADJOURNMENT

There being no further business before the board member T. Kopko moved adjournment seconded by member C. Hammar and passed by unanimous voice vote. The meeting adjourned at 7:15 P.M.

Respectfully submitted,

Gail A. Murawski, Secretary

Approved: