

**CHESTERTON ADVISORY PLAN COMMITTEE  
DECEMBER 20, 2018  
6:30 P.M.**

The meeting was called to order at 6:30 P.M. Present were members F. Owens, S. Darnell, N. Cobbs, J. Trout, T. Kopko, J. Kowalski and president G. Stone. Town Engineer M. O'Dell and Town Manager B. Doyle were in attendance. Attorneys C. Parkinson and C. Nolan were present as legal advisors. The pledge of allegiance was recited.

**APPROVAL OF MINUTES**

Member F. Owens moved approval of the minutes from November 29, 2018 (Special Meeting) seconded by member N. Cobbs and passed by unanimous voice vote.

**COMMENTS FROM THE PUBLIC**

President G. Stone asked for a show of hands from the public who was present to speak on the PSR, LLC Concept Plat. A high percentage of town residents in attendance indicated that to be their reason to be present at this evenings meeting. President Stone commented that this was a very preliminary consideration and this was the boards first viewing of the project. This was not a public hearing. He told those in attendance that until and unless the town annexes the land, we as a board have no action to take on the matter.

A town resident voiced from the crowd. "I'm a Chesterton resident and there will be public comment and I'll tell you why."

Attorney C. Parkinson clarified the rules. He said, that for a public hearing the public is notified and the public has the opportunity to comment on the matter under consideration. President Stone expressed what is in the Ordinance. This is a concept review, this is not a public hearing. There are other matters to consider and the board will take up the business on the agenda.

A town resident said, "There is supposed to be a vote on the rezoning on December 26, 2018. That does not sound like anyone gets to speak on the matter about the rezoning." Attorney C. Parkinson clarified that the matter mentioned was not a rezoning.

It was clarified that some of the residents in the crowd were present to speak on the JVJ Development, Duneland Prairie Residents and some residents were present to speak on the matter of a Concept Review by PSR, LLC.

Member F. Owens explained the purpose of a concept review and further clarified the process by with the Ordinance convenes a preliminary and public hearing. He commented that this board would not be talking about any annexation this evening.

Member N. Cobbs clarified that the next scheduled meeting for town council will convene on December 26, 2018 at 7:00 P.M. (this is a holiday scheduled date.) On December 26, 2018 the council would be voting on the annexation. The public hearing for the annexation was held

**ADVISORY PLAN COMMITTEE  
DECEMBER 20, 2018  
PAGE 2**

Monday, December 10, 2018. It was further clarified the town council would vote on December 26, 2018 in support or in opposition of the annexation. Member N. Cobbs said there would be comments from the public accepted at the December 26, 2018 meeting.

President G. Stone commented, members of the public are invited to see the same presentation that the board would see tonight. There would not be public comment on the matter.

Don Tharp 82 West 1100 North was present. He said the property next to him was recently annexed and he did not receive a notice. He said, "I found out after the fact."

It was further explained that if the land was annexed, the development of this property is an item that could come before the plan commission for a public hearing. Property owners within 300 feet would be required by law to receive notification.

**PRELIMINARY HEARINGS**

**Olthof Homes and Larry Wright Requesting an Amendment to the Primary Plat for Springdale.** Ed Recktenwall of Olthof Homes was present. He said he was under the impression that they would hold a public hearing on this matter. They had already given public notice and notified property owners within 300 feet. He requested to hold the public hearing tonight.

Town Engineer M. O'Dell said this is a preliminary hearing tonight.

There was no one present to speak on this item.

Member J. Trout moved to set this item for public hearing at the January 17, 2019 meeting seconded by member S. Darnell and passed by unanimous voice vote.

**CONCEPT REVIEW**

**Concept Plat for PSR, LLC** Attorney G. Babcock was present as legal representation for this item. The property is located on 1100 North and adjacent to the soccer fields and park. The parcel is 59 acres and about 25 acres of the site is developable with the rest being wet. The concept for the site would be a mixed-use concept having 17 single family homes, 9 paired patio homes and 9 triplex style homes. Also, on 1100 North they would propose 2 small commercial style buildings having about 4500 square feet for each building. Proposed office style buildings might contain professional offices, dry cleaners, a nail salon and physical therapy occupancies. Future plans would include sanitary sewer plans, sidewalks, public roads and more. He solicited questions and comment from the board.

Member T. Kopko commented that the west portion of the plan looked to be in the wetland area.

**ADVISORY PLAN COMMITTEE  
DECEMBER 20, 2018  
PAGE 3**

Attorney Babcock said it is developable property.

There were no further questions from the board.

**PUBLIC HEARINGS**

**John Nekus, JVJ Development, Duneland Prairie Residents, Requesting Approval of a Planned Unit Development.** The secretary verified proof of notification, publication and payment. Attorney G. Babcock was present as legal representation. Mr. Nekus and Jeff Haugh of Radke Engineering and Surveying accompanied him. Attorney Babcock said the parcel of land that is approximately 11.28 acres. The site would be accessed by South Calumet just south of the U.S. Post Office. Richter Street is to the north and the Westchester South subdivision abuts the parcel on its western side. The parcel is not flat land as it also abuts the Pope O'Connor Ditch. They would be looking to take this B-3 property and develop it as residential. The parcel would contain 62 paired cottage homes and 3 single cottages.

Mr. John Nekus of 436 Sand Creek Dr., Chesterton told the board he purchased the property in 1998. He lives in the area and has a business located here in Chesterton. He told the board that over the years he had been approached by several parties wanting to develop the site to its highest B-3 Use. Looking around to neighboring properties this B-3 buildout was not in line with what he wanted to develop. His plan of development would target persons looking to downsize or retire in a location offering privately owned paired patio homes there would be 65 units total. The price point for a ranch home would be starting at \$220,000.00 to \$235,000.00. A two story would contain approximately 2800 square feet and start at a price point of \$275,000.00 to \$320,000.00. He gestured to a color depiction of what the homes might look like. He commented, this is a quality home product needed in the area. Residents would live maintenance free and own their own units. He felt this transitional type neighborhood would compliment its surrounding neighbors.

Attorney G. Babcock commented that this is a contentiously developed infill project. He spoke to the various town services and the ability of the town to meet capacity. They would take a normal five-foot sidewalk requirement and allocate it to the town so when the Dunes-Kankakee Trail comes those path/sidewalks will be eight feet wide. There would be 25-foot wide roadways.

Jeff Haugh of Radke Engineering and Surveying located at 5821 North US 35, LaPorte, IN. was present to speak about the design of stormwater management. He gestured to a map of the site indicating the flood plain area and water flow drain patterns. The development would contain rear yard drains to collect stormwater and runoff and flow it to a metered detention pond at the center of the project.

**ADVISORY PLAN COMMITTEE  
DECEMBER 20, 2018  
PAGE 4**

Attorney G. Babcock spoke to the traffic patterns surrounding the area with the primary access being South Calumet Road and a secondary access from Richter Street.

Attorney G. Babcock respectfully requested the board to favorably consider the PUD. The outcome of the PUD would be tabled until the January meeting. The petitioner would be including additional items brought to light by the town engineer.

Mr. Tony Vendramin of 1097 N. 400 East, Chesterton, IN. was present to speak in support of the development. He said as a local commercial developer in Chesterton this PUD would be good for community businesses. The target market group for this development would bring positive and conscientious growth to the town.

Linda Vogt of 144 Richter St., Chesterton IN. was present. She expressed concerns about the density of the project. She expressed concerns regarding stormwater runoff. She felt these small lots would adversely affect her property values. She had traffic concerns about the increased use of Richter Street and the lack of a sidewalk on South Calumet.

William Bowen of 1041 Primrose Cir., Chesterton, IN. was present. He expressed concerns about the high density of the project.

James Jeselnick of 180 Primrose Cir., Chesterton, IN. was present to speak in opposition to the petition. He distributed a list of reasons for remonstrating against the proposed PUD. That list is; hereto attached and made a part of these minutes.

Mary K. Jeselnick of 180 Primrose Cir., Chesterton, IN. was present to speak in opposition to the petition. She carried a letter to the board from Steve Stedman 1020 Primrose Cir., Chesterton, IN. He expressed concerns about the location of the roads. He expressed concerns about stormwater drainage. He wanted the access road to be moved to the east. He expressed concerns regarding the density of the project.

Thomas Albano of 1051 Primrose Cir., Chesterton, IN. was present and expressed concerns about all the variance requests. He expressed concerns about traffic safety and the narrow roads. He expressed concerns for emergency vehicle access. "They need to follow the guidelines."

Kelly M. Clark of 1029 Primrose Cir., Chesterton, IN. was present to speak in opposition to the petition. She objected to the number of variances requested. She encouraged the petitioner to respect the guidelines. She encouraged members of the board to reject this PUD as written today.

Jason Witherspoon of 110 Richter St., Chesterton, IN. was present. Expressed concerns regarding the density of the project. He felt the duplexes would bring down surrounding property values. He expressed concerns about drainage.

**ADVISORY PLAN COMMITTEE  
DECEMBER 20, 2018  
PAGE 5**

Tom Burns of 1031 Primrose Cir., Chesterton, In. was present. He encouraged the developer to stick to the town standards.

Terry Hiestand of 615 Jefferson St. Chesterton, IN. was present. He asked for clarification if a sidewalk would be added to the south side of Richter Street to provide access to the Duneland Kankakee Trail. It would be a good idea if it did happen.

There being no others left to speak, the public comment portion of the public hearing was declared closed.

Attorney G. Babcock commented that the product offered is different than a single-family residence. It would be a higher end infill product and even though it is maintained by a service, residents would still have pride in ownership. He said he saw the rear yard drains as an enhancement to the surrounding area. Stormwater runoff could be directed to the detention area and metered out conscientiously. He reminded neighbors and board members that department heads are involved with the PUD process and variances are grouped together as blanket type to cover various aspects of the project. He said they had worked with staff to come up with the best plan for South Calumet. They would be tying into and keeping the deceleration lane heading south and will provide striping and be able to stack on their own property. The design of the monument sign will not obstruct sight lines. They did not feel that this project would attract many families with children. The limiting of parking to one side within the subdivision would cause neighbors to slow their speeds. The roads are designed to be private. The curbs are set to state standards. There would be 33% of the project that would be open space and yes that would take into the account the detention pond. The style of detention pond would be built to allow someone the ability climb out. It meets design safety standards. The duplexes would be owner occupied and yards would be maintained by a service. This would reduce noise throughout the week as mowing/tree trimming might be done on one day of the week verses residents maintaining their own property every day of the week.

Mr. Nekus thanked neighbors for expressing their concerns. He asked that they consider the existing B-3 Zoning and know his desire is to create an attractive harmonious surrounding.

The consensus with the petitioner would imply that the public hearing needs to be continued. Changes generated by M. O'Dell and the PUD's documents must match.

Member J. Kowalski said he understood the concerns of the neighbors. This property is Zoned B-3 and Mr. Nekus deserves to develop his property. He's trying to be agreeable. He blamed Mr. Jeselnick for the hardship created for accessing the proposed property with decisions made when surrounding sites were developed.

**ADVISORY PLAN COMMITTEE  
DECEMBER 20, 2018  
PAGE 6**

Member J. Trout commented that the Venturi project has brought more positives to the community than negatives. Mr. Nekus is trying to develop his property conscientiously and it's a good infill project.

M. O'Dell said that the entrance on Richter Street will not be relocated. He commented that the rear yard drains being installed will be an improvement and will help neighboring sites.

Member J. Trout moved to continue the public hearing until January 17, 2019 seconded by member J. Kowalski and passed by unanimous voice vote.

It was clarified that the public comment portion of the public hearing was closed. The revised documents would be reviewed and the board would make their decision. The public was invited to attend the January meeting.

**OLD BUSINESS**

**Lake Erie Land Company, Requesting Secondary Plat Approval in the 1<sup>th</sup> Addition to Coffee Creek Center Phase "B" Lot 7 & 8.** Attorney G. Babcock was present as representation for the end user Amerilodge. He explained that Amerilodge is buying the property that will create Lot 7 & 8. For them to get a secondary plat they have to complete that purchase. The bond would be for the construction of a 36-inch storm drain which bisects the lots and they have sidewalks of their own and landscape plans. Lake Erie Land has to bond for the road on the west side and storm sewer. The two groups are also working on fine tuning the landscape part of the back of the buildings. When they get a number that is real, they create the value for the bonds and that has not happened yet. He respectfully requested to continue this item until the January meeting.

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

M. O'Dell explained that Residence of Coffee Creek has occupancy and all the sidewalks are installed. The infrastructure has been completed and the town went from an infrastructure guarantee to a maintenance guarantee. The sidewalk is complete and acceptable to the town and a letter of credit in the amount of \$6,920.80 needs to go to a maintenance guarantee.

Member S. Darnell moved to accept the infrastructure, release the sidewalk guarantee and go to a maintenance guarantee in the amount of \$6,920.80 seconded by member N. Cobbs and passed by unanimous voice vote.

**ADVISORY PLAN COMMITTEE  
DECEMBER 20, 2018  
PAGE 7**

**NEW BUSINESS- None**

**MISCELLANEOUS BUSINESS- None**

**ADJOURNMENT**

There being no further business before the board member T. Kopko moved adjournment seconded by member J. Kowalski and passed by unanimous voice vote. The meeting adjourned at 8:30 P.M.

Respectfully submitted,

Gail A. Murawski, Secretary

Approved;

G. Stone, President

12-18-2018

To: Gail Murawski  
Secretary Planning Commission  
From: Jim Jeselnick  
Re: Proposed subdivision

My name is Jim Jeselnick and my wife and I have lived in Chesterton since 1972. We moved into our present home at 180 Primrose Circle in the Westchester South subdivision in August of 1988 and have enjoyed the peace and tranquility of the adjacent proposed subdivision. There are deer, foxes, raccoons and many other forms of wildlife that enjoy the twelve acres now under consideration for development. Our home and the adjacent empty lot that we own (**Appendix #1**) will be directly impacted by the proposed subdivision. In addition six other property owners of Westchester South on Primrose Circle will also be affected. (**Appendix #2**) And, six property owners on Richter Street will be adversely affected.

As a matter of full disclosure, I started a company named Venturi L.L.C. in the early 1990's who purchased this property as part of a 30 acre parcel. We developed Chesterton's first commercial subdivision on the South side of Pope O' Connor ditch on 18 acres and subsequently sold the 11.82 acres in question to the petitioner. Our partnership included Attorney Babcock as well as Plan Commission member Jeff Trout.

Our reason for remonstrating is the desire to have a subdivision that is safe and enjoyable for its residents and visitors and to encourage a subdivision that is consistent with the Town of Chesterton's Master plan.

When the property was sold we envisioned a development that would occupy the 11.82 acres like our neighborhood of Westchester South. However, in looking at the site plan, we have some major issues that we feel need to be addressed:

1. **The ingress and egress roads on Calumet RD and on Richter St.**
  2. **The variance requested to reduce the width of the subdivision roads from 30' to 25" AND to also permit on street parking.**
  3. **The overall density of the proposed subdivision that is now requesting over 109 variances for approximately 65 home sites on approximately 6.527 acres.**
1. **The ingress and egress roads of the proposed subdivision.** A major concern is the primary entrance on Calumet Rd. 65 residential units would potentially generate at least 650 daily trips per day. (ITE traffic standards) Located adjacent to the Chesterton Post Office entrance we can see a potentially dangerous intersection with vehicles exiting the subdivision and turning left (or North) onto



Calumet Rd., one of Chesterton's main arterial streets. In addition, without the space for a regulation deceleration lane going south servicing the subdivision entrance, there is the real possibility that serious collisions could occur. Currently the Post Office does have a short lane past its entrance but it angles to Calumet Rd where vehicles, thinking that they could turn right into the proposed subdivision would suddenly have to veer left onto Calumet Rd. Traffic exiting the Town of Chesterton, a downhill grade, and vehicles accelerating at the same time are a recipe for potentially serious and life threatening accidents at this intersection. In addition, the location of the proposed monument sign of 4' by 8', currently located on the north side of the proposed exit road could also restrict the visibility of vehicles exiting onto Calumet Rd. There is simply not enough space for southbound vehicles to gap according to acceptable D.O.T. standards. In addition, there is the entrance to Barrington Bridge apartments almost directly across from this proposed entrance where a school bus stops twice a day. I can't imagine how cars will stack up as they exit the proposed subdivision as currently planned.

Earlier this year a vehicle traveling at an excessive rate of speed going south on Calumet Rd. collided with a mother and her child at the entrance to Driftwood Commons, located just several hundred feet past this proposed exit. Luckily, nether of the automobile's occupants were seriously injured. The posted speed at this intersection is 30 m.p.h. although I am sure that a study would reveal that speeds are closer to 40 m.p.h. in this area. Going 30 m.p.h it would take a passenger vehicle approximately 109 ft. to come to a stop. (**Appendix #3**) This is also assuming that the tires were average and that there were dry roads.

Extensive development is currently taking place on the south side of Chesterton, in Sand Creek, and the Coffee Creek area. The number of vehicles using this proposed intersection, either to enter town or to use the Post Office, will dramatically increase. By permitting this proposed subdivision to pass without some modifications to this exit could result in a potentially damaging and expensive lawsuit for The Town of Chesterton and for the developer.

We realize that some form of exit and entrance is necessary. However, we believe that one solution is to construct a "pork chop" style entrance. Right turn into the subdivision and right turn out. Another solution is for the Town of Chesterton to install a traffic light at this intersection. Finally, we are proposing that a comprehensive traffic study be done on this portion of the road before any plans are approved.

The secondary ingress/egress road proposed for Richter St. has its own serious flaws. First, the configuration of a left turn and then a right turn onto Richter St. could create a very frustrating experience for drivers wanting to enter and to exit the proposed subdivision. In addition, drifting or plowed snow could greatly impede traffic flow, especially for emergency vehicles like ambulances or fire trucks. Secondly, traffic will naturally speed up on Duneland Prairie Drive as they approach the exit. We feel that a much better solution is to create an exit that lines up with Duneland Drive and exits where the proposed Lot#23 and part of Lot#22 are located. A two sided

entrance sign could be located on a small island in the center of the exit area and the divided entrance would be both functional and good looking. Or, another option is to locate the exit on the East side of the property in line with Creita street and along the fence line of the Post Office. Third, we are objecting to the noise that will be created by all of the vehicles entering and exiting the proposed exit onto Richter Street adjacent to our home and to the home that will surely be built on the adjacent empty lot.

- 2. The variance requested to reduce the width of the subdivision roads from the Chesterton Town standard from 30' to 25.' The petitioner is also seeking to allow for on-street parking at the same time.**

In looking at other similar and newer subdivisions in Chesterton, we have discovered that their roads are all 30" from edge of concrete curb to edge of concrete curb.

This includes Terreno Drive in the brand new **Stone Meadows** subdivision near Dogwood Park. **Park View Place** off 23<sup>rd</sup> street is a similar subdivision in that it has ranch style attached homes. **Brassie Estates** near the Brassie Golf Club also has 30' widths. Even Westchester South, adjacent to the proposed subdivision has 30' street widths.

The accepted width for passenger vehicles for local streets is between 9 and 12 ft. **(Appendix #4)** A 25 ft. road width does not allow for two vehicles to pass if there is a parked car on the roadway. How will a large garbage truck, an ambulance, a fire truck, or a school bus maneuver through the proposed subdivision? Narrow roads will also increase safety risks for both pedestrians and for homeowners.

- 3. The overall density of the proposed subdivision that is now requesting over 109 variances in order to build 65 homes in 6.52 acres.**

The definition of a variance is "an official dispensation from a rule or regulation, typically a building regulation." Usually developers request some variances to allow for some irregular sized lots or for some understandable setbacks. The petitioner is requesting over 109 different variances! The Master Plan of Chesterton with its subdivision standards have been written and supported by staff, council, and its citizens for years. To request this many variances just to increase density is unfair to both past and present developers.

The Beverly Drive area, located less than a mile from the proposed subdivision has 29 homes situated on approximately 13.5 acres.

Further, item 23 is requesting minimum rear yard setbacks for 31 of the 65 proposed lots as well as lots 19 through 28, the lots that face Richter street. These variances could cause serious drainage issues. Richter Street, as well as other streets in this area of town do NOT have storm sewers or curbs. Because of the proposed set back variances, storm water will settle on Richter St. causing flooding issues for the home owners of Richter street and the vehicles entering and exiting the proposed subdivision.

The intense amount of impregnable run off based on the proposed density will cause certain flooding issues.

In the subdivisions that I mentioned earlier, including Stone Meadows, Park View Place, Brassie Estates, and Westchester South, the side yard setbacks are actually 10 ft.

The increased lot coverage, the reduction of the lot area, and the setback variances will offer less privacy for the homeowners, exacerbate the noise from neighboring homes, and create potential drainage issues.

In summary, we are remonstrating against this proposed subdivision under its current layout. There are some serious safety issues with the proposed ingress and egress roads, especially for Calumet Rd., one of the Town of Chesterton's three main arterial streets. There are additional safety issues with the proposed narrow streets in the subdivision.

In addition, the overall density of the project will create definite drainage issues for adjacent homeowners. We are recommending that the public hearing be extended until all of these issues are addressed and modified.

Thank you for your time.

Sincerely,

Jim & Mary Kay Jeselnick

Gary Ganz

Subdivider

Owner's Address:

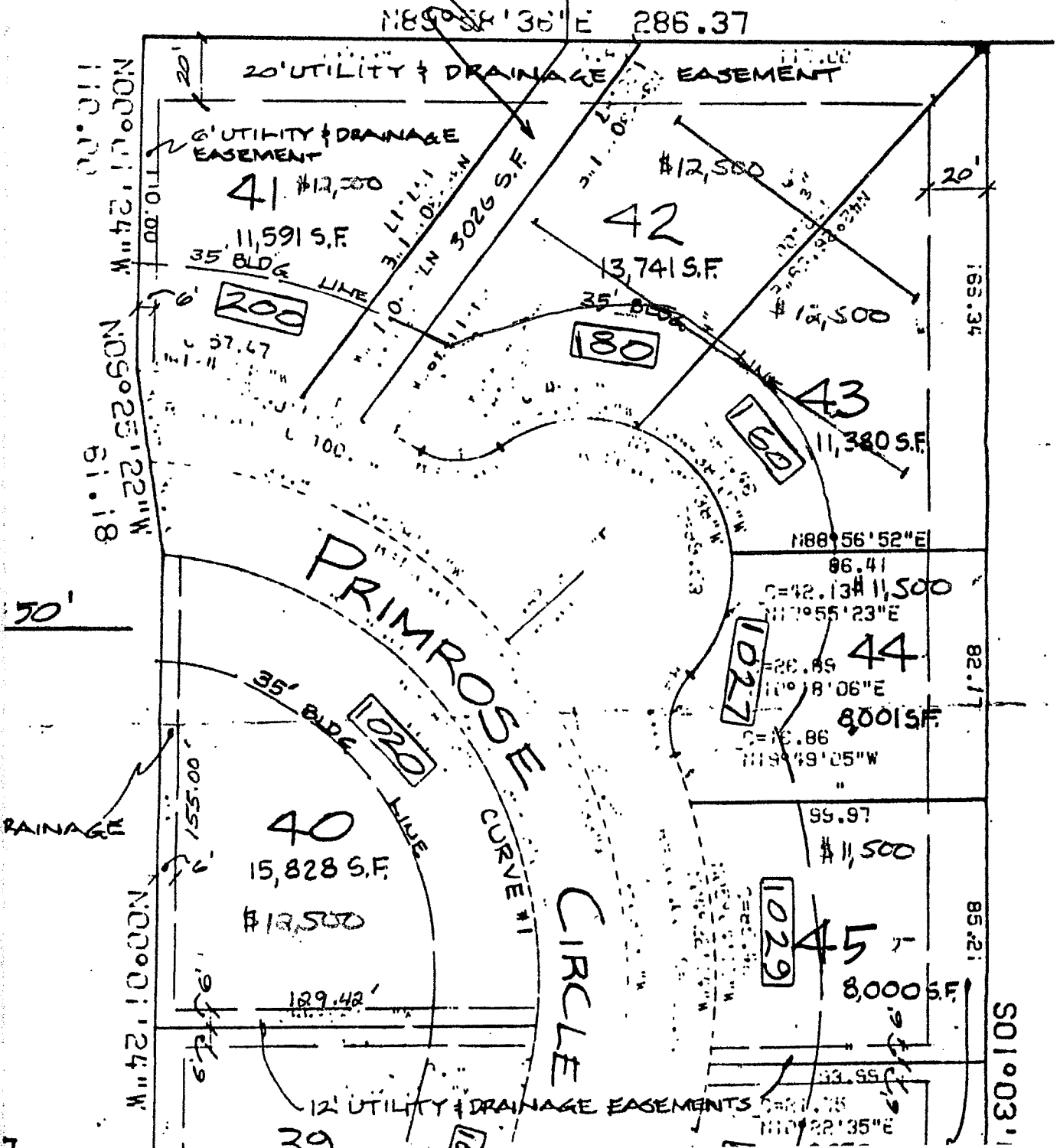
Shores, Indiana 46301

Phone No. 874-8740

WIDE PAVED FIRE LANE  
UTILITY EASEMENT

2ND ST.  
Appendix  
#1

RICHTER ST.



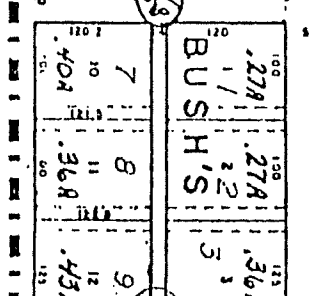
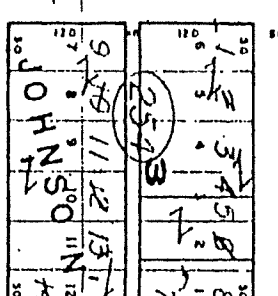
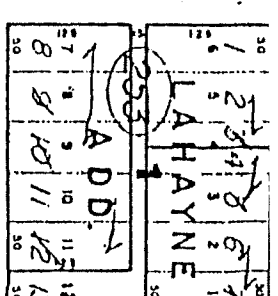
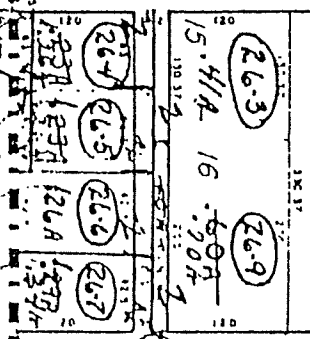
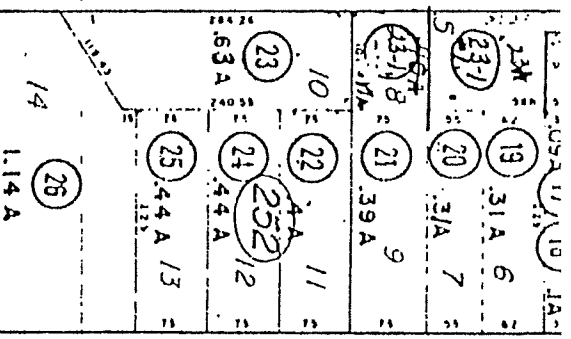
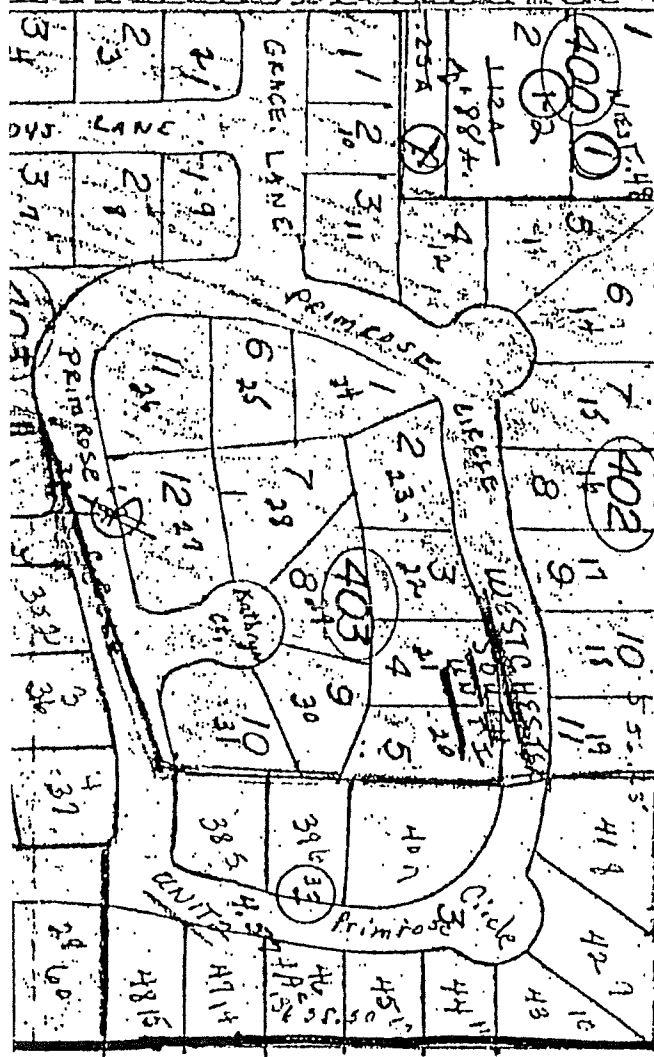
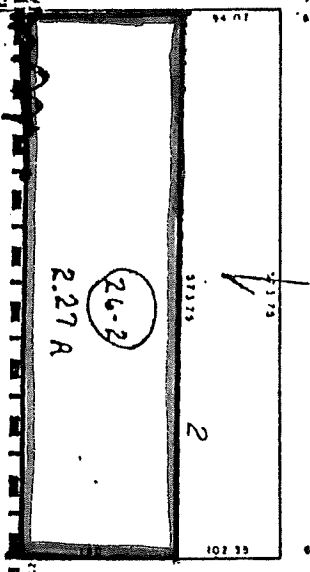
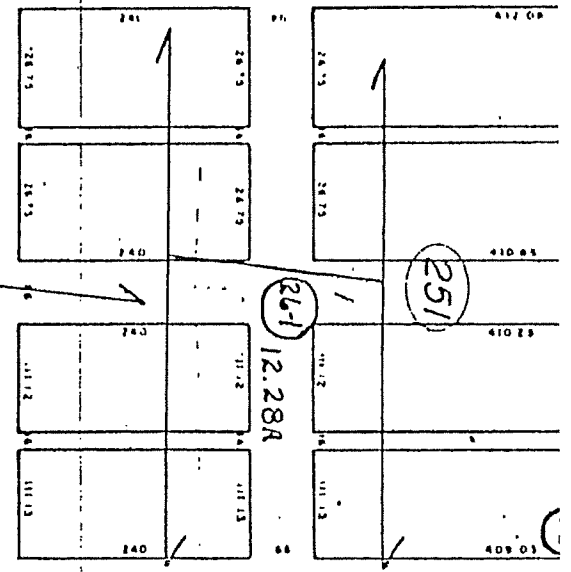
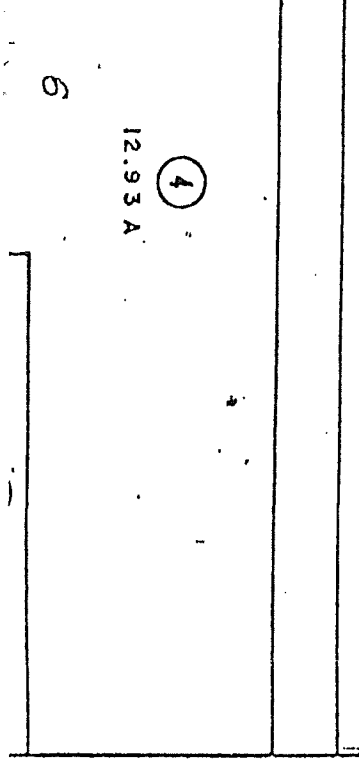
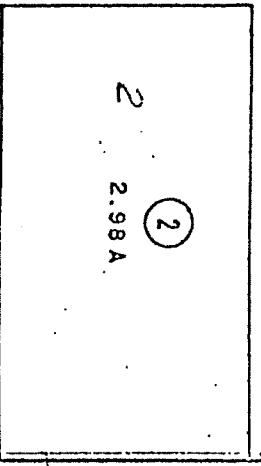
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FIELD APPENDIX #2

100	178	109	104
10	108	108	108
2.19 A	108	108	108
12.29 A	108	108	108
12.29 A	108	108	108

11	13	14	19
2.25	2.29	2.30	1 A
10	10	10	10
10	10	10	10

10	11	15	15	15	15	15
2.7	2.6	2.5	2.4	2.3	2.2	2.1



# Appendix #3

## Braking/Stopping Distances

MPH	Ft./Sec.	Braking Deceleration Distance	Perception Reaction Distance	Total Stopping Distance
10	14.7	5	22	27
15	22	11	33	44
20	29.3	19	44	63
25	36	30	55	85
30	44	43	66	109
35	51.3	59	77	136
40	58.7	76	88	164
45	66	97	99	196
50	73.3	119	110	229
55	80.7	144	121	265
60	88	172	132	304
65	95.3	202	143	345
70	102.7	234	154	388
75	110	268	165	433
80	117.3	305	176	481
85	124.7	345	187	532
90	132	386	198	584

# Appendix #4

## Appendix #4

TABLE 3

Ranges for Lane Width

Type of Roadway	Rural		Urban	
	US (feet)	Metric (meters)	US (feet)	Metric (meters)
Freeway	12	3.6	12	3.6
Ramps (1-lane)	12-30	3.6-9.2	12-30	3.6-9.2
Arterial	11-12	3.3-3.6	10-12	3.0-3.6
Collector	10-12	3.0-3.6	10-12	3.0-3.6
Local	9-12	2.7-3.6	9-12	2.7-3.6

(Source: A Policy on Geometric Design of Highways and Streets, AASHTO)