

CHESTERTON ADVISORY PLAN COMMISSION
MARCH 17, 2022
6:30 P.M.

The meeting was called to order at 6:30 P.M. Present were members T. Kopko, S. Darnell, J. Kowalski, D. Lafata and president F. Owens. Members C. Hammar and 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 D. Lafata moved approval of the minutes from February 24, 2022 seconded by member J. Kowalski and passed by unanimous voice vote.

COMMENTS FROM THE PUBLIC

It was the general consensus of the board to convene the April 21, 2022 meeting at the Chesterton Fire Station. Early voting would take place at the town hall.

PRELIMINARY HEARINGS

Lake Erie Land Company, Coffee Creek Center PUD, First Addition, Phase B Primary Plat Lots 20 through 28 Primary Plat. Attorney K. Warren was present as legal representation for Lake Erie Land Company. He was accompanied by Keith Sharpe of LEL and Dave Civanich from the Duneland Group. Attorney Warren told the board LEL is interested in installing infrastructure in different phases throughout Coffee Creek Center to make them shovel ready for future development. First Addition, Phase B Lots 20 through 28 will continue that process. The lots are located nearest SR 49 and just south of the previously platted lots. There are 9 proposed lots on approximately 7 ½ acres. The parcel under consideration in this primary plat would include the extension of Matson Drive and Jackson "Jack" Hiyes Drive. He said they have met several times with the town and still have a few easement questions to work through. He respectfully requested to have this item set for public hearing at the April 21, 2022 meeting.

Attorney C. Parkinson had no comment.

Town Engineer M. O'Dell said they continue to work through the project. The biggest concern is that Jack Hiyes Dr. cannot be in the existing utility easement. There was some conversation about moving that roadway over about 15 feet. He said they would continue to work together and had no issue with setting this item for public hearing.

Lake Erie Land representative Keith Sharpe and engineers continued conversation regarding the GTE Easement and Jack Hiyes Drive. It seemed they had come to a tentative solution after a brief study of the site plan.

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Member T. Kopko moved to set this item for public hearing at the April 21, 2022 meeting seconded by member S. Darnell and passed by unanimous voice vote.

Thomas T. Roberts, Trustee of the Thomas T. Roberts Revocable Trust Agreement Did. September 19, 2005 requesting a change to the Chesterton Zoning Map. Attorney G. Babcock was present as representation for the petitioner. Mr. Vic Roberts accompanied him. Attorney G. Babcock noted the property is located Duneland Cove Unit 4, Lots 111 through 113 and Out-lot B. The parcel is located on the south side of Michael Dr. between Sand Creek Drive North and Watertower Drive. The railroad as it southern-most border. Duneland Cove was platted in 1992. The current zoning is R-3 & B-3 the rezoning proposes R-1. A drawing depicting the proposed 7 single family lots would be provided if the rezoning is successful. He was successful in vacating a portion of Michael Drive that had been dedicated to potentially take Sand Creek Drive North over the railroad with a bridge. The project never came to fruition. He respectfully requested the board to consider setting this item for public hearing at the April 21, 2022 meeting.

Town Engineer M. O'Dell requested to see an overlay of what currently exists and the proposed 7 lots.

Attorney C. Parkinson commented that he travels Michael Drive every day. He suggested the developer include in the overlay the placement of the proposed driveways for each lot. He suggested that the driveway near the corner of Watertower Dr. and Michael Dr. be placed thoughtfully with line-of-sight consideration.

Member S. Darnell moved to set this item for public hearing at the April 21, 2022 meeting seconded by member D. Lafata and passed by unanimous voice vote.

CONCEPT REVIEW- None

PUBLIC HEARINGS

CMRJ, LLC, an Indiana Limited Liability Company, requesting a change in the Chesterton Zoning Map. Rules for conducting a public hearing were read aloud. The secretary verified proof of publication, notification and payment. Attorney G. Babcock was present as legal representation for the petitioner. He was accompanied by Chuck Roth a member of CMRJ, LLC. Attorney G. Babcock told the board Mr. Roth is the owner of Chesterton Feed and Garden. Mr. Roth is looking to expand his business to a parcel of property he purchased directly to the east of the garden center. The Southernmost portion of the parcel, which is currently Zones R-2 would include the construction of a warehouse and office space. Attorney G. Babcock told the board they are looking to rezone the property to a B-3 Use. He noted that the request for a B-3 Zone had eliminated some B-3 Uses that would not be compatible with the surrounding neighborhood. Chesterton Feed and Garden center is currently Zoned I-1. They felt

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it best to pursue a B-3 Use rather than industrial. They would use .69 acres on the south end of the property for the new building construction. If successful with the rezoning, they would look to the Chesterton Plat Committee in order to create two lots the north lot being the existing home that would stay in the R-2 Zone same as surrounding neighbors and the south lot being the B-3 Zoned lot for the proposed office/warehouse portion of the existing business.

Mr. Chuck Roth of 1247 N. Brummitt Rd., Chesterton was present. He told the board he and his father have been in business in that location for 42 years. The original building is where they currently have retail items for sale the back half is warehouse, greenhouses and gardens. The business has changed considerably since its beginning. The property across the street will provide more parking, office and warehouse space. They would be making an investment of approximately \$200,000.00. The hours of operation would stay the same, Monday-Friday 9:00 a.m. till 6:00 p.m., Saturday 9 to 5 and Sunday 10 to 5.

Attorney G. Babcock said the north portion of the property will remain R-2 as a single-family residence. The west side where the office will be located will have an asphalt apron. The south side along the railroad is proposed gravel to accommodate truck deliveries. There would be plant buffering along the north and east side. He requested the board to consider accepting the Findings of Fact along with the written commitments omitting certain B-3 uses and forward a favorable recommendation to the town council.

Joyce Haus of 425 E. 1174 N., Chesterton was present to speak in support of the petition. She said Chesterton Feed has been a good neighbor. She felt the addition of parking would help alleviate some of the parking issues on Warren Street.

Rodney and Diana Wilcox of 499 Locust Street, Chesterton wrote a letter in support of the petition.

Jason Wazny of 502 Emerald Dr., Chesterton was present to speak in opposition to the petition. He expressed concerns about the truck traffic and dust from the gravel road. He was interested in how high the warehouse would be. He commented that he would love to see some buffering on the south side of the parcel as it will abut their home. He expressed safety concerns for forklifts moving merchandise across the street.

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

The building would be no higher than allowed. The walls of the building would be 12 feet and the roof peak no higher than 25 feet. Mr. Roth told the board they would incorporate border gardens along the south, east and north side of the parcel. They would incorporate spruce trees that would stay green all year long. The proposed site plan could offer as many as 35 new parking spaces.

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Town Engineer M. O'Dell said Locust Street is a priority for some repair. The omitted uses and written commitments would be recorded and included on the plat.

Attorney G. Babcock said employees operating fork lifts will be instructed what to do keeping safety at the forefront.

Member D. Lafata moved to close the public hearing, accept the Findings of Fact and forward a favorable recommendation to the town council seconded by member S. Darnell and passed by a unanimous roll call vote of 5 to 0.

OLD BUSINESS- None

NEW BUSINESS

Town Engineer M. O'Dell requested to set a Plat Committee meeting on April 21, 2022 after the Plan Commission meeting. The members of the committee were in agreement. M. O'Dell would contact the petitioners to inform them the meeting would convene at approximately 7:00 P.M. at the fire station.

MISCELLANEOUS BUSINESS- None

ADJOURNMENT

There being no further business before the board member S. Darnell moved adjournment seconded by member T. Kopko and passed by unanimous voice vote. The meeting adjourned at 7:20 P.M.

Respectfully submitted,

Gail A. Murawski, Secretary

Approved:

F. Owens, President