

CHESTERTON ADVISORY PLAN COMMISSION
MAY 19, 2022
6:30 P.M.

The meeting was called to order at 6:30 P.M. Present were members D. Marchetti, T. Kopko, C. Hammar, J. Kowalski, D. Lafata, S. Darnell and president F. Owens. 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 S. Darnell moved to approve the minutes from April 12, 2022 (Special Meeting), April 21, 2022, May 12, 2022 (Special Meeting) seconded by member J. Kowalski and passed by unanimous voice vote.

COMMENTS FROM THE PUBLIC- None

PRELIMINARY HEARINGS

Kenneth J. Allen & Associates requesting an amendment to the Coffee Creek Center PUD to permanent a sign and /or BZA Case No. 08-09 & 96-24 to allow the billboard sign to be an electronic "dynamic" sign. Attorney Bill Ferngren was present as representation for the petitioner. He told the board Kenneth J. Allen & Associates acquired the property located in Coffee Creek Center in September of 2021. Along with the parcel of land Kenneth Allen acquired the billboard sign. Mr. Allen is interested in converting the billboard sign into a dynamic sign. They would not be seeking any relief from the Ordinance as far as frequency of copy and text. The petitioner's intent is to occupy the sign. He respectfully requested the board to consider setting this item for public hearing.

Attorney C. Parkinson said they would require a signed petition wherein the process would include putting into ordinance form what has previously been a sign controlled by, first an annexation agreement and secondly the PUD Ordinance and finally this particular sign has gone through the Chesterton Board of Zoning Appeals in the form of a petition. The drafted ordinance needs to connect and delineate the history of this sign. The original PUD Ordinance for Coffee Creek Center only permitted a certain number of signs and some of them were permanent signs. This particular sign is one of them. In concept this is a pretty simple request but the history of how this sign got to be permanent and the BZA variances granted needs to be clarified in the amendment to the existing ordinance. This was a PUD but also a sign that's controlled by an annexation agreement that predated the PUD.

Attorney Ferngren said he had no problem with the requests. He agreed that the history should be made clear.

Town Engineer M. O'Dell questioned the guarantee for other businesses to advertise on this sign if it's owned by Kenneth Allen.

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Attorney C. Parkinson noted that these are the kind of things that can be a condition or restriction of the ordinance. He wanted to be sure the petitioner is ok with not necessarily the content but the advertisers on the sign. There is a history here and these signs were for the purpose of advertising the property within Coffee Creek.

Member J. Kowalski told the board he was one of the members on the BZA in 1997 when variances for this sign were granted. He recalled there was a limitation on the other signs for ten years. This particular sign was intended to be available to additional neighboring businesses within Coffee Creek Center. It was his opinion that Lake Erie Land Company should have researched the signs history prior to transferring the ownership.

Member C. Hammar expressed concern regarding have the distraction of a large dynamic sign so near SR 49.

Attorney C. Parkinson advised the petitioner that the calculation of square footage of any other signs at or on Allen's building would need to be incorporated in the ordinance.

Member T. Kopko moved to continue the preliminary hearing until the June 16, 2022 meeting seconded by member C. Hammar and passed by unanimous voice vote.

Evans, Baltudis, Murzyn and Stark requesting an Amendment to The Springdale Subdivision PUD for the purpose of installing a 6-foot fence along Lahayne Rd. /1050 N. The above named, petitioners told the board they, as a group and individuals, are interested in constructing a 6-foot fence along a right-of-way. The fence would be comprised of open-work aluminum resembling wrought iron, through which motorists can easily see oncoming traffic.

Petitioner Sandra Evans expressed concern about the amount of traffic present on 1050 N. and the speed at which some cars travel. She said there are always children and dogs playing in the yard. They also have future plans of installing a pool. A six-foot fence would offer more security.

Attorney C. Parkinson said he would like to see a copy of the current Springdale Ordinance. He wondered why the corner lot was not included in this neighbor request.

Ms. Evans to the board the corner lot owner's residence may be more temporary than the other homeowners.

Town Engineer M. O'Dell made several requests of the homeowners in order to complete the petition. He would view each sight plan as it would relate to the placement of the fence and sight lines.

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Member S. Darnell said she would not like to see a solid fence installed anywhere along this 1050 N. corridor. Neighboring subdivisions have had made similar requests and the Plan Commission found it much more appealing to not allow fencing. To have a mixed matched blockade of fences looking like and alleyway along the road brings no value to the surrounding neighborhoods.

The Plan Commission voted unanimously to set this item for public hearing at the June 16, 2022 meeting.

CONCEPT REVIEW- None

PUBLIC HEARINGS- None

OLD BUSINESS

NEW BUSINESS

MISCELLANEOUS BUSINESS

ADJOURNMENT

There being no further business the plan commission voted unanimously for adjournment. The meeting adjourned at 7:20 P.M.

Respectfully submitted,

Gail A. Murawski, Secretary

Approved;

F. Owens, President