

Burns Harbor Advisory Plan Commission

Minutes of Monday, August 3, 2026

The Advisory Plan Commission of the Town of Burns Harbor, Porter County, Indiana, met in a regular session on Monday, August 3, 2026, at the Burns Harbor Town Hall. The meeting was called to order by Advisory Plan Commission President Toni Biancardi at 6:00 pm.

The Pledge of Allegiance to the American Flag was recited.

Roll Call:

Toni Biancardi.....	Present
Bernie Poparad.....	Present
Roseann Bozak	Absent
Travis Dunlap	Present
Gordon McCormick.....	Absent
Aaron Adcock	Present
Michelle Watkins.....	Present

Additional Officials Present

Attorney: Clay Patton, Building Commissioner: Joe Lawson, and Secretary: Jill Sherrill.

Also Present

Ron Atherton via Zoom and Residents of the Town of Burns Harbor

Minutes

Poparad made a motion to approve the minutes of July 6, 2026. Adcock seconded the motion. Poparad-Aye, Adcock-Aye, Dunlap-Aye, Watkins-Abstain, Bozak- Absent, McCormick- Absent, Biancardi-Aye. Motion passed.

Communication, Bills, Expenditures

Review: Bonds, Maintenance Guarantees, Letter of Credit

Biancardi stated that the Plan Commission received a letter regarding 1219 Stanley Street and a resident's concern about the property being turned into a duplex. Building Commissioner Lawson stated that after investigating this, there has never been any permit release or issue for that to happen. I have no record or documentation of that. I am going to follow back with the property owner to try and find out who did that. The property cannot be changed into a multi-family property. Biancardi stated that the property is in a residential zone and multi-family is not permitted. Is the property currently for sale? Building Commissioner Lawson stated yes, it is and it is marketed as having a kitchen in the basement on the realtor's listing. Biancardi asked Building Commissioner Lawson if he feels like he should contact the realtor and make sure they understand that it is not permitted use? Building Commissioner Lawson stated yes, I will do that.

Davis stated my name is Carrie Davis, and I live at 1217 Stanley Street. I have just heard that the property owner wants to move to Florida, and as far as we know, the property is not for sale. She has a finished basement and wants to separate the basement into two separate units. Building Commissioner stated that the house is listed on Zillow, and if you look at the description, it says there is a second kitchen in the basement and talks about cabinets and a countertop.

Ilic stated that my name is Kim Ilic and I live at 1220 Stanley Street. The records indicate it as a single-family home, but some listings have it listed as multi-family. I am concerned that if she rents out the property and moves to Florida, that is 1,500 miles away. That is not a good idea. We are all single-family homes, and we are just not comfortable with that.

Tony stated that I live at 1222 Stanley Street. With the neighborhood being zoned as residential, if she wanted to convert it to a duplex, would she have to come to the board and propose to become a duplex? Building Commissioner Lawson stated that she would have to request a variance and go before the Board of Zoning Appeals.

Davis stated that I understand that we don't have an HOA, but it is in the covenants, and the covenants automatically renew every 10 years. Building Commissioner stated that I have not been in this situation before. I would have to do some research as far as what the process would be like if this went to the Board of Zoning Appeals.

Biancardi stated that I think the Building Commissioner's next step is to contact the homeowner and potentially the agent listing the home to see what the situation is.

Hall stated that my name is Susan Hall and I live at 1216 Stanley Street. I was one of the people who had a conversation with the homeowner, and she flat-out said that she was talking to someone about zoning, and they told her to approve it and that she had to create two entrances. Contractors have been there, and we assume they have been giving her estimates.

Biancardi stated that Building Commissioner Lawson will do his best to contact the homeowner and find out what is happening at the property.

Report of Officers, Committee, Staff

Nothing to report.

Public Hearing

Atherton- Rezoning

Biancardi opened the public hearing at 6:13 pm.

Atherton stated I am requesting that my property located on Melton Road be rezoned to commercial. Biancardi stated that Mr. Atherton's property is located to the west of Curly's on Highway 20 and is about 4 acres. The property is currently zoned as residential, and he is requesting to rezone it as RC2, which is residential/commercial 2. He is hoping to increase the property value and allow for the potential sale of commercial businesses. It is currently a vacant lot with no structures.

Biancardi asked for public comments in favor. There were no comments in favor.

Biancardi asked for public comments in opposition. There were no comments in opposition.

Biancardi closed the public hearing at 6:16 pm.

Adcock made a motion to make a favorable recommendation to the Town Council to rezone the property to RC2. Watkins seconded the motion. Poparad-Aye, Adcock-Aye, Dunlap-Aye, Watkins-Aye, Bozak- Absent, McCormick- Absent, Biancardi-Aye. **Motion passed.**

Biancardi stated that this will now move forward to the Town Council for a final decision.

New Business

Corlin's Landing Phase 2

Biancardi stated that last month we discussed the roads being paved in Corlin's Landing Phase 2. We did send a letter and requested that the developer, Tom Lightfoot, join us at tonight's meeting. We did not hear anything back from him. Now we need to decide how we want to proceed. A discussion was held on how the board would like to proceed. Biancardi stated that if everyone agrees, we will continue trying to contact the developer and other interested parties, and we will also have Attorney Patton send a letter on our behalf. We will request that he come to the September meeting and/or reach out to someone to talk about what is happening.

Resolution Amending TIF Allocation Area

Biancardi stated that this is statutory and that this comes to this board because we are part of planning in the Town of Burns Harbor. This first went to the Redevelopment Commission; they are the ones writing this resolution. In town, we have TIF districts, and in our allocation area there are some properties that have been identified by Baker Tilley. If those properties are removed from the TIF allocation area, we would receive more money in biannual payments. If you follow the Redevelopment Commission, they are putting in the last leg of the trail, so that is where the majority of that is going now. But it would also go towards redevelopment in the community. Statutorily, this comes to this board to adopt, should we choose to do that. Then it will go to the Town Council and then back to the Redevelopment Commission. We would be looking for a motion for the board to adopt Resolution 2026-01, which approves a resolution of the Town of Burns Harbor Redevelopment Commission, declaring an amendment to the Burns Harbor allocation area to remove parcels from said area. It has been a very long time since we have done this, but this is something that should probably happen no less than every five years. We do have a map and list of all the properties that are being proposed to be removed. All of them are residential, if the board has more questions we can ask someone from the Redevelopment Commission to be present to answer any questions. By taking these homes out, it equates to roughly a \$40,000 increase to the TIF annual payments. At the public hearing it would be noticed to the property owners that they would be removed from the TIF area. The Town Council will have the same resolution at the August 12th meeting, and then it would go back to the Redevelopment Commission for a public hearing. Dunlap made a motion to adopt Resolution 2026-01 amending the TIF allocation area. Poparad seconded the motion. Poparad-Aye, Adcock-Aye, Dunlap-Aye, Watkins-Aye, Bozak- Absent, McCormick- Absent, Biancardi-Aye. Motion passed.

Old Business

Proposed Code Book Amendments

Utility Work Requirements

Biancardi stated that Building Commissioner Lawson worked with Mishawaka and they have a checklist that is basically a guideline that they provide to anyone doing utility work, and it states they must notify neighbors and put up signs. Building Commissioner Lawson provided that to us. They are using it currently in the Building Department. Biancardi asked Building Commissioner Lawson how using the checklist has gone. Building Commissioner Lawson stated that it went well, they communicated and it was for Frontier. They put door hangers on doors, and they gave a one week notice and provided me with the completion dates. Biancardi stated the goal that we discussed is all about communication. I know we discussed adding this to town code, but as it is more of a checklist or guidelines that the Building Department would like to use, could we just do it that way and not necessarily add it to code? Attorney Patton stated yeah, you could have some internal policies and procedures, that aren't necessarily the laws in the Town of Burns Harbor. Dunlap stated the only things I had a question about were the bond requirement and how it was derived or how that is handled. Biancardi stated that everyone is okay with Building Commissioner Lawson moving forward with this policy in terms of utility work.

Sidewalks

Biancardi stated that last month Building Commissioner Lawson provided us with some sidewalk language for Chapter 15 with the proposal to include in 15-13-31, which would be a new section. Currently in Chapter 14, we have a section that relates to sidewalks, and that is standards of improvement. It talks about requiring sidewalks to be installed and poured with cement and being the responsibility of the homeowner to maintain the sidewalks. Is that something that should stay there? Building Commissioner Lawson stated that is all part of something that is proposed. My only concern with that is, being in Chapter 14, people might think that it only applies strictly to subdivisions. If you have it outside of the subdivision ordinance, then you could say that it applies to more than just subdivisions. Biancardi asked if all the new things provided should also be included in Chapter 14? I think last month we talked about referencing Chapter 15. Building Commissioner stated that it would probably be easier to put it all in one area. Biancardi stated that is also in Chapter 4 Building Code, it's under certificate of occupancy, which talks about no permit being issued until all sidewalks have been installed. It doesn't really talk about specifications. Is that okay to stay in Chapter 4? Building Commissioner Lawson stated sure. Biancardi asked what would be your recommendation then for the callout in Chapter 4? Do you want to remove it and just say refer to section 15-13-31? Building Commissioner Lawson stated that I think that would be good because it simplifies it and makes it more easily accessible. Biancardi stated that the next step would be for Attorney Patton to put this into ordinance form, so the board can see how it is going to change in the codebook, and then we will have that for the September meeting. Then if no one else has any additional questions, we can set it for a public hearing. I will send Attorney Patton the language and notes to put into ordinance form.

Lighting

Biancardi asked Building Commissioner Lawson if he was able to talk to Graff about angling the lights down. Building Commissioner Lawson stated that I must go back and talk to the manager. Biancardi stated that I was just curious to see if it made a difference. I know last month you provided the board with a skeleton template of lighting. Building Commissioner Lawson stated that I sent over the beginning of an actual ordinance and a list of questions and things to be discussed. Some of the things that would need to be addressed or identified would be penalty amounts for violations. The definition of nighttime curfew does not match the town code definition. Do we want to include the addition of seasonal lighting codes and signage lighting codes? We have language in the sign ordinance that deals with lighting requirements. So, there are a few conflicting issues with that. Where would we add this into town code? Should it be added to Chapter 15 or be a standalone chapter because it will be really involved? It is 8-10 pages and that is just the start. Do we want to add or create lighting zones throughout the Town of Burns Harbor? The trespass and control section seemed to be a little bit overly restricted, so that would be something I would take a close look at. Who would be responsible for enforcement, compliance, inspections, investigations, appeals, and permits? Review from Global Engineering and Attorney Patton would be necessary. Biancardi stated that we will investigate this more and keep on the agenda for the September meeting.

Davis stated that my name is Carrie Davis- 1217 Stanley St. We had a big issue with the data center a while back, and we were talking with people who said there were certain stipulations that we could put in our bylaws or town code that would protect us if another data center tried coming in. I was wondering if any changes have been made to protect us. Biancardi stated there have not been any changes to code since I have been on this board. Biancardi stated that I will investigate that.

Announcements

None

Good of the Order

Biancardi stated the only good of the order I have is that our November elections are going to be on the 3rd, which is a Tuesday. Our Plan Commission meeting would be on Monday the 2nd, would anyone be opposed to moving our meeting a week rather than trying to relocate to the Fire Department. Attorney Patton stated that the Town Council will likely move their meeting as well since it is scheduled on Veteran's Day, which is a federal and state holiday. Biancardi stated that I will mention it to the Town Council and we can discuss this at our September meeting. Tomorrow evening, we are celebrating National Night Out with our Police and Fire Department's at the Town Hall. We will have all the vehicles outside and some games for the kids. Come hang out and show your appreciation.

Adjournment

Dunlap made a motion to adjourn at 6:49 pm. Adcock seconded the motion. Poparad-Aye, Adcock-Aye, Dunlap-Aye, Watkins-Aye, Bozak- Absent, McCormick- Absent, Biancardi-Aye. Motion passed.

Toni Biancardi, President

Jill Sherrill, Secretary