

Burns Harbor Advisory Plan Commission

Minutes of Monday, April 1, 2024

The Advisory Plan Commission of the Town of Burns Harbor, Porter County, Indiana met in a regular session on Monday, April 1, 2024, at the Burns Harbor Town Hall. The meeting was called to order by Advisory Plan Commission President, Jeremy McHargue at 6:00 pm.

The Pledge of Allegiance to the American Flag was recited.

Roll Call:

Jeremy McHargue	Present
Bernie Poparad	Present
Roseann Bozak	Present
Travis Dunlap	Present via Zoom
Gordon McCormick	Absent until 6:02
Nicole Migliorini	Present
Aaron Adcock	Present

Additional Officials Present

Attorney-Clay Patton; Secretary-Jill Sherrill; Building Commissioner- Chuck Hansen; and Councilman- Jack McGraw

Also Present

Mark Hartman- Stone Town Capital, Shem Khalil- Global Engineering, and Matt Ray- Architect for Taco Bell

Minutes

Migliorini made a motion to approve the minutes of March 4, 2024. Bozak seconded the motion. Poparad-Aye. Dunlap-Aye. McCormick-Absent. Adcock-Aye. Migliorini-Aye. Bozak-Aye. McHargue-Aye Motion passed.

Communication, Bills, Expenditures

Town Code Updates
Nothing to report.

Report of Officers, Committee, Staff

Nothing to report.

Old Business

Town Code: Chapter 15 Temporary Use Permit (Construction Trailers)

McHargue asked does anyone have any thoughts or issues? I believe it is pretty on point with what we discussed. Attorney Patton stated we can tweak it further between now and the next meeting. We just need to set it for a public hearing. Migliorini made a motion to set the public hearing for Chapter 15- Temporary Use Permit on May 6, 2024. Bozak seconded the motion. Poparad-Aye. Bozak-Aye. Dunlap-Aye. McCormick-Aye. Adcock-Aye. Migliorini-Aye. McHargue-Aye. Motion passed.

Attorney Patton stated the public hearing would be set for May 6th. I don't know if that would give the board enough time if it's approved for the council to consider 48 hours later. I just wanted to point out how the dates fall for the month of May. McHargue stated if it went to the next month, I don't believe that would be an issue as it's really not a time sensitive thing and we are just trying to address it.

Taco Bell

Architect Ray stated last week we signed on a civil engineer and we are getting started on drawings. The biggest unknown at the moment is the sanitary sewer design. We talked about doing a septic field, but my client prefers not to do that. So, we are going to study or look into a sanitary main extension for that. I did send over an updated site plan that shows the accessory building being pushed behind the front of Taco Bell as we discussed in the prior meeting. We all arranged the parking a little bit and we are proposing 31 parking spaces. McCormick stated personally I am not happy with the driveway entrance. McHargue stated has there been any update from Indiana Department of Transportation on the potential entrance that you have proposed? Ray stated no, we have been struggling to get a civil engineer on board and hopefully he will focus on that aspect of the job. A discussion was had regarding the proposed entrance and whether or not INDOT would approve that. McHargue stated this is our major concern and if you could do the due diligence of taking a look at it for us. Ray stated we will do that.

New Business

Review: Bonds, Maintenance Guarantees, Letters of Credit

None

McCormick stated I want to bring up something regarding Rig Doctors. They dumped about 100 truckloads of clay behind their building and it raised the property by about two feet. They are now in the process of spreading it out. Khalil stated was this a permitted activity? McCormick stated not that I am aware of. Commissioner Hansen stated he will drive by the property tomorrow to see what is going on.

Preliminary Hearing

Shadyside- South Side Development- 1260 Oak Leaf Lane

Hartman stated my name is Mark Hartman, I am the regional manager for Stone Town Capital and the owners and operators of Shadyside mobile home. I have provided everyone with a handout of the Shadyside southside property. On the west side of the property, we are asking for a variance. Currently the code reads structures need to be at least 30 feet from the property line and we are requesting for those seven homes to be 20 feet from the property line. The reason for that is because of the size of homes we want to put on those lots. They are a little bit over 1,200 square feet. Poparad stated what zone is this? Because I'm pretty sure the zone splits between Shadyside Rd. and the south sides of the road. So, you're not in a mobile home district, but in residential. Khalil stated since this is a different zone, depending on your development either you go for rezoning from residential to the same zoning that is on the north and then there is a subdivision process after you change that zoning. So, my point is that the process of either rezoning or a variance is completely up to the applicant. The process is either a variance for the existing zoning or rezoning and then the subdivision plat that will allow for multiple homes. McHargue stated will this be a public road or private road? Hartman stated it will be a private road. Khalil stated the town has become MS4 since the last time you've been here. That means that any erosion control for the permitting will have to go through the Town of Burns Harbor. You will have the engineer submit that through the Town of Burns Harbor for erosion control. McHargue stated it sounds like you are off to the Board of Zoning Appeals at this point to apply for those variances.

Good of the Order and Any Other Business

McHargue stated the May 6, 2024 meeting will be held at the Burns Harbor Fire Department due to elections.

Announcements

None

Adjournment

Migliorini made a motion to adjourn at 6:45 p.m. Bozak seconded the motion. Dunlap-Aye, Poparad-Aye, Adcock-Aye, McCormick-Aye, Migliorini-Aye, Bozak-Absent, McHargue-Aye.
Motion passed.

Approved May 6, 2024

Jeremy McHargue, President

Jill Sherrill, Secretary