

MUNSTER PLAN COMMISSION
MINUTES OF BUSINESS MEETING
Meeting Date: April 14, 2020
Date of Approval: _____

Call to Order: A regular business meeting of the Munster Plan Commission was convened at 8:10 PM on April 14, 2020. Due to the Governor's Executive Orders 20-09 and 20-18 placing restrictions on the number of people allowed to gather in one location, members attended the remotely via Zoom, a video conferencing application.

Pledge of Allegiance

Members in Attendance:

William Baker (via Zoom)
Andy Koultourides (via Zoom)
Stuart Friedman (via Zoom)
Chuck Gardiner (via Zoom)
Roland Raffin (via Zoom)
Brian Specht (via Zoom)
Steve Tulowitzki (via Zoom)

Members Absent:

Staff Present:

Dustin Anderson, Town Manager
Tom Vander Woude, Planning
Director
David Wickland, Attorney (via
Zoom)

Approval of Minutes:

a. March 10, 2020 Regular Meeting Minutes

Motion: Mr. Friedman moved to approve the March 10, 2020 meeting minutes.

Second: Mr. Specht seconded the motion.

Resolved: Approved viva voce.

Preliminary Hearings:

None.

Public Hearings:

a. PC 19-012 Guy Costanza/GM Contracting requesting preliminary plat approval of a one lot commercial subdivision to construct a 2800 square foot building and parking lot for use as a café at 407-411 Ridge Road.

Mr. Vander Woude said that he received word from Guy Costanza stating that he would like to table his petition to wait until the Plan Commission has an in-person meeting. Mr. Baker asked how many times they should table an application. Mr. Vander Woude said he would check the zoning ordinance to see if there is a limit.

Mr. Baker opened the public hearing. No comments. Mr. Baker closed the public hearing.

Motion: Mr. Raffin moved to continue PC 19-012 to the next regular meeting.

Second: Mr. Friedman

Resolved: Aye: 7. Nay: 0. Abstain: 0. Motion carries.

b. PC 19-016 David Katona requesting preliminary plat approval for the Fairway Addition, a 25-lot residential subdivision, a resubdivision of the property located 8105-8250 Castle Drive.

Mr. Vander Woude said that this project has been seen by the Plan Commission. A public hearing was held last month, at which 16 residents commented upon the proposal, the comments are included in the minutes. The two concerns were that the subdivision would cause flooding of the adjacent properties and concern that the dead end on Oakwood would be connected to River Drive. He said we got additional email comments which are attached to the staff report. The Town took actions in response to the comments: the town staff televised and jetted the storm sewers on Oakwood Ave; televised the storm sewers on Castle Dr. They determined that the storm sewers are in good condition, the Oakwood Ave storm grates are an older style that is more susceptible to clogging, and public works department relies on residents to clear the storm grates. They asked Town Engineer Jill DiTommaso to review the stormwater plans more closely. She provided a memo with her findings, she has found that the proposed detention pond exceeds the minimum standards of the Town's stormwater ordinance and it is her opinion that the plan is acceptable. Staff reviewed the Town's cul-de-sac and dead-end standards against national and other standards and found that the town's standard is on par with other communities and agencies. An informational zoom meeting was held with residents last week; there were similar concerns expressed and some robust discussion. The meeting has been summarized in a slideshow put together by Mr. Tulowitzki, which is posted on the agenda webpage. The staff report from last month is attached, the plans for the project are unchanged from last month and the staff recommendation is unchanged; staff found that the plans as presented comply with the subdivision ordinance and stormwater ordinance, so staff is recommending approval. Mr. Vander Woude stated that at this time, Mr. Tulowitzki may want to present the slideshow that he prepared. Mr. Baker asked if this was part of the staff report. Mr. Vander Woude said that he had received it from Mr. Tulowitzki, so it could be considered part of the report.

Mr. Tulowitzki said the meeting was held last Thursday on zoom call. The meeting was held to promote transparency in the process, to allow residents to more fully understand what was discussed at the March meeting, and to hear residents' concerns. The recording is publicly available. The meeting lasted 2 hours and 24 minutes, seven items on the agenda, 28 people in attendance, and there were presentations from the applicant and town staff, and we held q and a with the different parties. The first topic was stormwater management; the finding was that this will not adversely affect adjacent properties, and that it exceeds town standards. On the topic of the dead end, there was a lot of conversation about traffic flow and a petition from Mr. Bacino asking to leave the dead end as is. Castle Drive and Oakwood Ave both exceed the standard length for a dead end. A different option has emerged that would be compliant; Castle Drive connecting to Oakwood, but only a walkway connecting to White Oak would meet the cul-de-sac ordinance for Castle and bring Oakwood into compliance. This design would not change the traffic pattern on White Oak Avenue and keep from inducing traffic onto Castle Drive and Oakwood Avenue. The walkway that would be connected to White Oak could also be connected to Northcote. This option was preferred by residents that saw it. Mr. Tulowitzki stated that the role of the developer is to create the plan, the residents have an opportunity in the public hearing to say that the proposal infringes on their rights and does not meet the legal requirements, the Plan Commission is responsible for approving a plan that meets legal requirements. As part of transparency he wants everyone to know the degrees of freedom for this body. Mr. Wickland said that if it meets the legal requirements, the Plan Commission has to approve it. Mr. Tulowitzki said that the option appears to be in compliance with the subdivision ordinance, and a high level engineering review by Jill DiTommaso - she said she doesn't think there is any reason it wouldn't be in compliance, but a more

detailed review would be necessary. Another option could be to approve the plan with the contingency that the roadway between White Oak and Castle be replaced with a walking path.

Mr. Anderson said that there are participants on the zoom call that have raised their hands indicating that they would like to speak.

Mr. Baker asked the members of the Plan Commission if they had any questions or comments. None.

Mr. Baker asked the applicant if he had anything to add. Mr. Don Torrenge said he has nothing to add. He said that if the Plan Commission is to approve with River Drive to connect only to Oakwood and not to White Oak, then he would like it to be a contingent approval rather than have to come back another month. Mr. Dave Katona said that he would like to do what the Town wants.

Mr. Baker said that there was a preliminary hearing, a public hearing, and an informational meeting, so they have met the legal requirement for a public hearing, but since there are people on the zoom that would like to speak, he would ask for a motion to reopen the public discussion portion for this application.

Motion: Mr. Tulowitzki moved to reopen the public hearing.

Second: Motion dies for lack of second.

Mr. Baker asked if there was any comment from the Commission. Mr. Raffin said that he reviewed the plans and watched the public informational meeting, he'd like to thank the public for their comment, Mr. Torrenge and Katona, and the staff for their review of the project. He wants to make sure that the Town follows through to make sure the final grades match the proposed grades. He said we're all citizens in Town and we all share rights and roadways in town and the burden of traffic. Looking at the plan he thinks the staff has reviewed the plan it is his recommendation that they approve the plan as presented.

Motion: Mr. Koulourides moved to approve PC 19-016 granting preliminary plat approval for the Fairway Addition, a 25-lot residential subdivision, a resubdivision of the property located 8105-8250 Castle Drive.

Second: Mr. Raffin

Discussion: Mr. Tulowitzki said that he's not sure he's heard a preference from Mr. Katona. He said that if there was a preference other than the motion, he would be inclined to propose an amendment to the motion. Mr. Tulowitzki said he would like to offer an amendment to a motion. Mr. Baker asked Mr. Wickland if a motion with a second can be amended. Mr. Wickland said no; not until the motion has been voted on. Mr. Tulowitzki said the amendment would have been to offer the contingency that it does not connect to White Oak so that people would have the opportunity to vote it up or down. Mr. Specht said that the proposal has been made, it meets the requirement of the code, we have a legal right to do what's fair for the developer, so he thinks the motion is fine.

Resolved: Aye: 7. Nay: 0. Abstain: 0. Motion carries.

- c. **PC 20-002 Maple Leaf Crossing LLC/Jay Lieser requesting preliminary plat approval to consolidate two lots into a one-lot commercial subdivision at 9450 Calumet Avenue.**
PC 20-003 Maple Leaf Crossing LLC/Jay Lieser requesting amendments to the Munster Business Complex Planned Unit Development at 9450 Calumet Avenue.

Mr. Vander Woude said that Mr. Lieser requested a continuance. He said that the materials are not ready for the meeting.

Motion: Mr. Koultourides moved to continue PC 20-002 and PC 20-003.

Second: Mr. Gardiner

Discussion: None.

Resolved: Aye: 7. Nay: 0. Abstain: 0. Motion carries

- d. PC Docket No. 20-004 – Stephen Richard Westerberg requesting final plat approval for the Westerberg Addition to the Town of Munster, a one-lot subdivision consolidating lots 224 and 223 in the West Lakes Phase 4 Addition, commonly known as 10125 and 10127 Norwich Drive.**

Mr. Vander Woude said that this is a petition to consolidate two lots to construct a single family house. The plat committee approved the preliminary plat last month. Mr. Baker asked if the Plan Commission had seen this before. Mr. Vander Woude said no it was approved by the plat committee. Mr. Friedman said that the applicant presented this to the plat committee; it's a request to combine two lots into one lot to build a large house. Mr. Specht said that the Klos Addition was a one-lot subdivision combining two lots in Phase IV; with a large ranch built on it.

Motion: Mr. Friedman moved to grant final plat approval for the Westerberg Addition to the Town of Munster, a one-lot subdivision consolidating lots 224 and 223 in the West Lakes Phase 4 Addition, commonly known as 10125 and 10127 Norwich Drive.

Second: Mr. Raffin

Discussion: Mr. Specht asked if it will have two addresses. Mr. Vander Woude said that it will only have one.

Resolved: Aye: 7. Nay: 0. Abstain: 0. Motion carries.

Development Plan Review

- a. None.**

Findings of Fact:

- a. PC 19-016 David Katona requesting preliminary plat approval for the Fairway Addition, a 25-lot residential subdivision, a resubdivision of the property located 8105-8250 Castle Drive.**

Motion: Mr. Raffin moved to approve.

Second: Mr. Koultourides seconded the motion.

Resolved: Aye: 7. Nay: 0. Abstain: 0. Motion carries

Other Business/Additional Items for Discussion

Next Meeting: Mr. Baker announced that the next regular business meeting will be April 14, 2020 at 7:30 p.m.

Mr. Anderson noted that there are still people that have requested an opportunity to speak. Mr. Baker said that they addressed that already.

Adjournment:

Motion: Mr. Friedman moved to adjourn the meeting.

Second: Mr. Raffin

Resolved: Aye: 7. Nay: 0. Abstain: 0. Motion carries.

Meeting adjourned at 8:52 p.m.

President Bill Baker
Plan Commission

Date of Approval

Executive Secretary Thomas Vander Woude
Plan Commission

Date of Approval