

**MUNSTER PLAN COMMISSION**  
**MINUTES OF BUSINESS MEETING**

Meeting Date: March 10, 2020  
Date of Approval: APRIL 14, 2020

**Call to Order:** A regular business meeting of the Munster Plan Commission was held in the Munster Town Hall, Munster, Indiana on March 10, 2020. The meeting convened at 7:37 p.m., Chairman Bill Baker presiding and Tom Vander Woude, secretary.

**Pledge of Allegiance**

**Members in Attendance:**

William Baker  
Andy Koultourides  
Stuart Friedman  
Chuck Gardiner  
Brian Specht  
Steve Tulowitzki

**Members Absent:**

Roland Raffin

**Staff Present:**

Tom Vander Woude, Planning  
Director  
David Wickland, Attorney

**Approval of Minutes:**

**a. February 11, 2020 Regular Meeting Minutes**

**Motion:** Mr. Koultourides moved to approve the minutes for the February 11, 2020 Regular Meeting.

**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. Don Torrenza of Torrenza Engineering introduced himself as the representative of Guy Costanza. He said that they did a redraw of the project. He said they have attempted to meet more of the requirements of the new zoning code which was one of the recommendations at the last meeting. He said that they are seeking input from the Commission but does not want to go through with the public hearing. Mr. Specht asked if they had a user yet. Mr. Torrenza said they did not. Mr. Wickland advised that the public hearing should be opened for the record. Mr. Torrenza said that he can answer questions but may not answer them the same Mr. Costanza would. Mr. Torrenza said that the preferred use is still a café but there was no progress on obtaining a cross-access easement with the parcel to the north. Mr. Friedman asked for clarification whether Mr. Torrenza had the authority to speak for Mr. Costanza. Mr. Vander Woude said that he is listed on the application as a designated agent.

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

**Motion:** Mr. Tulowitzki moved to defer PC 19-012 to the next regular meeting.

**Second:** Mr. Koultourides seconded the motion.

**Discussion:** None

**Resolved:** Aye: 6. Nay: 0. Abstain: 0.

**MOTION CARRIES**

**b. PC19-015 Community Foundation of Northwest Indiana requesting preliminary plat approval for a three-lot commercial subdivision at 541 Otis Bowen Drive.**

Mr. Wickland stated that he sits on the Board of Directors for the Community Foundation. He doesn't believe that is a conflict, and he has no financial interest in the project. He would be willing recuse himself from participating at the direction of the Commission. Mr. Baker affirmed that no members objected to him participating.

Mr. Don Torrenga of Torrenga Engineering introduced himself and Dave Otte from the Community Foundation. He said that they have revised a number of items since the preliminary hearing. They changed the landscape, they changed the layout to allow for a 13<sup>th</sup> island with trees in it, there's notation regarding hedges, they've added trees along Otis Bowen Drive, they are installing a sidewalk along Otis Bowen, they have cross access easements – they are seeking approval. Mr. Friedman thanked the petitioner for modifying the proposal to include sidewalks as a contribution to the public and for recognizing the importance of pedestrian access.

Mr. Torrenga stated that there are two lots a portion of Calvary Baptist Church and also a portion of the original Hospice Addition. Lot 1 comprises the office building and parking lot and lots 2 and 3 meet the current zoning for lot width. Mr. Specht asked how the sidewalk would fit in front of the monument sign. Mr. Vander Woude explained that the sidewalk will be installed at the edge of the street right-of-way which is approximately 5 feet south of the sign. Mr. Torrenga said that the sidewalk will be installed in front of the office building and along the two lots to the east.

Mr. Baker opened the public hearing. J Calaway introduced himself as the pastor of the Gate church. He said that they have been there for some 30 years. Since they purchased the property from the Community Foundation, the land around them has been built up, which has led to flooding on their property and in their parking lot, which is tearing up the parking lot. His biggest concern is that the additional buildings and parking lots will drain onto and flood their land. Mr. Calaway said that the open area between the parking lot and Otis Bowen is like a marshland and during large rains the water floods the driveway and drains into their parking lot. He's concerned that there is nowhere for the water to go. Mr. Baker closed the public hearing.

Mr. Specht asked Mr. Torrenga if he could investigate the drainage onto the church property. Mr. Torrenga said that it's basically a low area in front of his parking lot. The northwest corner of their property was a detention pond with no outlet. The parking lot drained into it and because the soil is clay, the water stayed there. When it rained heavily the water would overflow into the parking lot. Community Foundation made a deal to tie their parking lot into the storm sewers that lead into the Midwest Central Industrial Park detention pond. The low area in front of the church does not drain into the storm sewers.

**Motion:** Mr. Gardiner moved to approve PC 19-015 granting preliminary plat approval for a three-lot commercial subdivision at 541 Otis Bowen Drive and PC 19-014 granting development approval for a parking lot expansion at 541 Otis Bowen Drive.

**Second:** Mr. Tulowitzki.

**Discussion:** None

**Resolved:** Aye: 6. 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 since the preliminary hearing, Town staff has been working with Mr. Lieser and Dave Beach to assemble the documents for the Planned Unit Development – the ordinance and the site plan – and to fine tune the details. Most of the details have not been finalized. They have reviewed multiple site plans which are being presented tonight. Since they have not been finalized, Mr. Lieser is seeking direction from the board so that we can take that information and back into the details of the ordinance and the development standards. The two site plans being presented are attempts to accommodate the desired uses, the required parking, and a through road on the north side of the property. Mr. Baker asked if the recommendation is to table. Mr. Vander Woude said that the recommendation is to table until the details have been sorted out.

Mr. Lieser distributed paper site plans. He said that he has been working with staff for a year on the design. Mr. Baker asked if the plan includes relocating the traffic signal from the former 45<sup>th</sup> Street to the entrance of the development. Mr. Lieser said that has been resolved, but the question is whether it would be a 40 foot or 60 foot right-of-way. The two drawings depict two ways to enter into the development. Mr. Baker said the right-of-way connecting to Calumet at the light will be the primary ingress/egress point. Mr. Lieser said that he is tying in the Pennsy Greenway bike path along the north end of the property. Mr. Baker noted that the bike path behind Lake Business Center is not there yet. Mr. Baker asked if the bike path through Centennial Village and across 45<sup>th</sup> Street is tied into this project. Mr. Vander Woude said that its tied in physically, but will be constructed by others. Mr. Gardiner said that the bike trail has to cross Calumet at a signalized intersection. Mr. Vander Woude said that it will connect into the abandoned railroad right-of-way.

Mr. Lieser described the history of the project. He showed the initial drawing from March 2019. He said that he moved the bike path to the north and presented a plan in October. He said last month they moved the bike path to the south of the road and included a 40' right-of-way. He said that they are making the inside of the development pedestrian friendly with sidewalks around the buildings. They are planning a professional office building, Hyatt Place hotel, a restaurant, container architecture for boutique shops, a pub, and professional office or retail and office. Parking is throughout. For today's meeting they have spaced out the south buildings for a walkway and a patio. With option 1, the right-of-way is still 40 feet. Option 2 has parking tied into the roadway. It's not something he is in favor of. He said that he does not want to be tabled, because he's been working on the project for a year. He's building the site to users, and the only problem is that the right-of-way is 40 feet. He said they're putting in two bike trails, they have connected everything the best they can. Portions of the development can be closed off for festivals and events. He said they've worked with the staff on the design for a year, but now they're building to users. He'd like the Plan Commission to approve an option so they can engineer the site. Mr. Gardiner asked if the initial 35-foot roadway would include traffic from Pepsi. Mr. Lieser said that yes, it has always been planned to include trucks from Pepsi. Mr. Specht asked Mr. Vander

Woude why he is recommending that the project be tabled since he wants to begin engineering and site work. Mr. Vander Woude said that his recommendation is to table because the site plan is the only information that has been submitted with the application: there is no traffic study; the site plan has not been thoroughly studied by the staff because it was presented as one option on the Friday prior to the meeting; they have not submitted any proposed amendments to the ordinance, we know that certain standards will be changed, but they haven't been provided for review and approval. Staff cannot recommend approval of an incomplete application. He said that approving a project of this scale without sufficient details has historically resulted in projects languishing at the Plan Commission, because there are different expectation from the members and the applicants. Because the application is incomplete, he can't recommend approval. He suggested that the Plan Commission think about this like a zoning ordinance, they need a map and an ordinance – the site plan is the map, but they don't have an ordinance. Mr. Baker asked if they can begin preliminary engineering knowing that they will have tweaks on the process. Mr. Vander Woude said that Mr. Lieser is asking for direction from the Plan Commission so that he can take a site plan to his engineer, complete the preliminary engineering and submit it to the Plan Commission for approval as part of the PUD amendment. Mr. Baker asked about the 60,000 square foot office building. He said that his experience is that corporate tenants require 4 spaces per thousand square feet, so parking will be at a premium. Mr. Lieser said that he would complete a parking study, but he needs to know which site plan to study. He said that he would do a parking study for next month, he doesn't want to be tabled, but he doesn't want approval of the PUD amendment tonight. Mr. Friedman said that he has no problem with Mr. Lieser at his expense completing a parking study or engineering as long as he understands that the Plan Commission will have different thoughts next month. Mr. Vander Woude said that to table the project does not preclude the Plan Commission from offering their feedback and direction with respect to the site plan. Mr. Wickland asked if the preliminary plat can be approved. Mr. Vander Woude said that the applicant has not submitted a preliminary plat, so they have nothing to approve. Mr. Baker said that the right-of-way on the property will have a lot of vehicles going in and out, there's a possibility that additional traffic could use the road. He's concerned about more traffic entering Calumet Avenue further south. He prefers the first option, but he said that we're putting a lot of buildings on a small piece of property and is concerned that there will be enough parking. Mr. Gardiner said that he prefers option 1 with a standalone roadway. Mr. Friedman said that he also prefers option 1. Mr. Tulowitzki asked Mr. Lieser to describe the differences between option 1 and 2 and the risks regarding the right-of-way. Mr. Lieser said that the forty-foot roadway allows for a ten foot bike path, 5 foot parkway and a 25 foot roadway. He said option 2 is about a 100-foot right-of-way and has traffic mingling with the parking. He didn't choose it, but staff asked him to review and he did. Mr. Specht asked what the objection is to a forty-foot right-of-way. Mr. Vander Woude explained that a typical commercial street in Munster has an eighty foot right of way and a typical residential street has a sixty foot right of way. Mr. Lieser noted that the streets in Independence Park have narrower rights-of-way. Mr. Baker asked if this is a public road. Mr. Vander Woude said that as part of a development agreement, the Town transferred land on the west side of the site in exchange for the dedication of a public road on the north end of the property. He said a forty-foot road may serve the immediate need, but precludes any future growth. Mr. Baker asked if Pepsi was going to contribute any land for the road. Mr. Vander Woude said that they will not. Mr. Tulowitzki said that the benefit of option 1 is that it will keep the trucks out of the parking space whereas option 2 has the trucks driving through the parking area. Mr. Specht said that option 1 is his preference.

Mr. Baker opened the public hearing.

Sharon Mayer 9449 Northcote Avenue asked if the north road is an exit only or whether cars will be entering as well. Mr. Vander Woude said that it will be a full access road. She said that if it was an exit only it would be more in compliance with the width standards. Mr. Vander Woude said that it would, but the development agreement calls for it to be a full road and if the Calumet underpass is ever

constructed, it will eliminate the other drives making that road the only entrance and exit point for the development.

Michael Goepfort 10380 Oxford Place said that he is looking at the project as a safety concern and was interested in whether bike safety will be included in the traffic study. Mr. Vander Woude said that at this point that has not been discussed. He suggested the applicant include it in the study. He asked why we're putting large semi-trucks on a street that is smaller than the street in front of his house; option 1 does not seem like the best route.

David Nellans 1535 Ridge Road said he thinks that Pepsi should participate in the project, all the land giving should not come from Maple Leaf, since it's a benefit to them. He favors option 1 because he doesn't think that you should put trucks through the parking lot. He said we should keep in mind that the Calumet Avenue underpass could go through, but he believes the likelihood is slim to none. He said they need a signal at the north end.

Dennis Larson Diversified Commercial Real Estate said he is the realtor representing the developer. He said he has seen great demand and they have three companies out of Chicago for the office building that will take up one and a half to two floors, a brewmaster that wants to open a brewpub, and a number of small boutiques. He said they're asking for proposals, but they can't provide them yet. He likes plan 1.

Renae Fentress 122 Beverly said that she owns Troost Coffee and Tea in Lansing, IL. She said property taxes and minimum wage in Illinois are expensive. She's been talking to Mr. Lieser about moving to the development and eagerly anticipating the approval. She would like to see the approval dealt with swiftly for the small businesses that are eager to move into the space.

Tonya Kaufman 10230 Barbara Lane said that that she owns Toluka Paperie in Munster. She was a tenant of the Munster Business Complex before it was taken down. She is eager to move into Jay's space and be settled. She's excited to be part of a community of small businesses that can help each other out.

Mr. Baker closed the public hearing.

Mr. Tulowitzki said there is urgency to approve the project, but that because there is a financial incentive, they need to make sure that it's good to go for the 20 years. He said that Pepsi is receiving a benefit and suggested that they could give land to make the road the required width. Mr. Lieser said that they have increased the right of way from 35 feet to 40 feet. He said that in his conversations with Pepsi they have no interest in donating land. They are only bringing their trucks through that road because the Town suggested it. Mr. Koultourides asked Mr. Lieser whether he would reduce the height of the office building by one floor, if the parking study came back stating that they don't have enough parking. Mr. Lieser said the office could be 2 floors or 3 floors. Mr. Koultourides asked if two semi-trucks can go past each other on a forty-foot road. Mr. Don Torrensa said they could. Mr. Koultourides said that the purpose of the road is to improve safety for semi-trucks accessing Calumet; he prefers the plan presented in option 1, though a 60-foot road would be better.

**Motion:** Mr. Specht moved to approve the proposed Maple Leaf Crossing site plan AS-001 option 1 and allow the developer to continue to do final engineering for the site plan presented with a 40-foot right-of-way on the north side of the project.

**Second:** Mr. Koultourides seconded the motion.

**Discussion:** Mr. Baker clarified that the motion does not include the studies, the stormwater, the signage, but this is approval of the site. Mr. Specht said that Mr. Lieser said he would do the traffic study

and the engineering and those will still need to be approved. Mr. Lieser said that he would do a traffic study. Mr. Tulowitzki said his concern is that they are approving a plan that doesn't go beyond this. He said that it sounds like there is consensus to move forward with option 1, but there is an issue with the size of the road. He heard Mr. Lieser do the traffic study and engineering even if the project is tabled. He said that at the beginning when the project was announced, the reputable Eckenhoff Saunders was the architect and now they have a different architect and that may have something to do with the inability to fit the required right-of-way and the number of parking spaces. Mr. Friedman asked whether the approval of the motion today precluded the commission from amending it based on the information and analysis provided next month; he doesn't want to give any misrepresentation to Mr. Lieser, but he's also concerned about having the staff completely examine the project and give options. Mr. Wickland said that they will be able to modify it next month. Mr. Lieser said that he's worked with Mr. Vander Woude on the site plan. Mr. Vander Woude said that there are some key pieces of information that are not present: the traffic study, the PUD ordinance; they've met and discussed the items, but they have not been completed. The site plan has been reviewed multiple time, but they reached an impasse about the width of the road. Mr. Gardiner said that the integration of the wider sidewalks in the development results in a much-improved plan; the other elements of the plan can be addressed once the site plan is endorsed. Mr. Friedman said that in his experience on the Plan Commission, developers represent that they are in a rush. He has no problem approving the motion with the understanding that they are not precluded from changing based on information presented at the next meeting.

**Resolved:** Aye: 5. Nay: 1. Abstain: 0.

**Motion:** Brian Specht moved to table PC 20-002 and PC 20-003.

**Second:** Mr. Koultourides

**Discussion:** None.

**Resolved:** Aye: 6. Nay: 0. Abstain: 0.

**MOTION CARRIES**

**d. 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. Don Torrenge of Torrenge Engineering introduced himself and Mr. David Katona. Mr. Torrenge said that the property is 10 acres in size, the minimum lot width allowed by the town is less than what they are proposing, the majority are 85 feet wide, the majority of the infrastructure for this project has already been installed: the sanitary, storm sewer, and the detention pond. The intention is to finish Castle Drive to River Drive, put River Drive in from Oakwood to White Oak and expand the detention pond to meet the requirements of the Town of Munster. Mr. Katona has agreed to install rear yard drains to capture the stormwater from the neighbors' properties and the detention pond has been sized to accommodate that. They are asking for preliminary plat approval.

Mr. Baker said that they have seen this plan a few times. He said that this area was flooded in 2008 and they have made sure that the stormwater is addressed. He asked who will maintain the pond. Mr. Torrenge said that the pond will be turned over to the Town of Munster. Mr. Baker asked what route the stormwater follows between the pond and the Little Calumet River. Mr. Torrenge said that there is a large storm sewer that parallels the river and, he believes it goes to the pump station behind the hospital. Mr. Baker asked whether he was sure that it didn't go to the Northcote pump station. Mr. Torrenge said that he wasn't sure, but the storm sewer and the pond are already there. Mr. Baker asked whether the pond and pipes were sized to accommodate the subdivision. Mr. Vander Woude said that the town engineer has reviewed the plans and found them to be acceptable.

Mr. Baker said that the covenants include a provision that mature trees will be saved, but that most of the trees are cottonwoods. Mr. Torrenga said that Mr. Katona will only remove the trees that will interfere with the rear yard drains. Mr. Baker asked whether the trees provided in the parkway will count toward the replacement of removed trees. Mr. Vander Woude said that they asked Mr. Katona to preserve the grove of trees. Mr. Baker said that he would prefer that the cottonwoods would be removed.

Mr. Specht asked how long ago this area was subdivided as a residential development. Mr. Torrenga said that it was originally subdivided and the infrastructure was installed in the 1970s. Mr. Baker asked whether the infrastructure from the 70s would be reused. Mr. Torrenga said that it would, but it is currently in use by the residences along Castle.

Mr. Baker opened the public hearing.

Leon Kozlowski 8102 Oakwood said that the retention pond empties into the Little Calumet River and that it's the worst retention pond in the town. The ditch running through it is a concrete culvert and they never clean the mud out. Mr. Baker said they're going to upgrade the pond.

Gail Magsaysay 8128 Oakwood said that she brought several pictures of flooding of the property, which she says has been happening all winter. She would like to propose that the pond be upgraded and we sit on this development and see what will happen after the pond is upgraded. On September 7, 2019 the 8100 block of Oakwood flooded. They were out clearing the sewers to prevent Leon's property from flooding. She said the ground in that property had been saturated and could not absorb any more water. She asked what the Town would do to ensure that they are not flooded. She was flooded in 2008 and does not want to experience it again. She asked the Plan Commission to reconsider the development.

Rudy Higgins 8232 Oakwood said that this field holds water constantly and the infrastructure was installed in the 1970s, the same infrastructure as Oakwood, which floods constantly, the sewers don't work because the street floods. You can clear out the catch basins, but the water still won't go down if you get a certain amount. The water is standing there because there's about 5 inches of dirt and then its clay. His neighbor to the north, her yard is a foot higher than hers, and a new house on Castle will slope down to his lot. The lowest point of their lots is this field, so when they build up the grade, where is the water going to go – into his yard, he'll have a pond in his yard. Mr. Baker said that they are going to install additional infrastructure to take the water that currently floods the field, additional catch basins will capture the water from the rear yards. Mr. Higgins said that the drains will back up and flood. His neighbors catch basins back up and flood. He said that there is a code in Munster that says you can't build any structure that causes another to flood. He asked Mr. Wickland if he will have any legal recourse if his property floods.

Michael Bacino 8108 Oakwood said that he would like to maintain the high property values of the properties on the cul-de-sac. He quoted an article from Realtor.com that says that buyers will pay 20% more for a home on a cul-de-sac. He said that their shared interest is high property values and suggested that Castle Drive be a cul-de-sac and Oakwood remain a cul-de-sac. He estimates that over \$2 million in additional value is maintained by a cul-de-sac.

Tony Zangrilli 8318 Oakwood said that it doesn't seem logical to change the cul-de-sac and he thinks there should be an independent study be done of the stormwater. He lives on the other side of Fairway and his yard is constantly underwater even though the same infrastructure is in place. He thinks there should be a period of time after the infrastructure is installed to see if it works correctly.

William Poltrock 8122 Oakwood asked if the Army Corp of Engineers signed off on the floodplain in this area. Mr. Vander Woude said that there are two parcels that are in a flood zone, the others are out of the flood zone.

Rachel Branagan 8249 Northcote said she is an architect, she loves her neighborhood and the architectural integrity of their homes. She asked if they have any renderings of the proposed homes. It's important to her that each home be unique. She echoes her neighbors in keeping the cul-de-sacs. She lives on Northcote and it's busy. She doesn't see why it's necessary to connect Oakwood where they ride their bikes. She asked if the homes will have basements and whether they will be tall and look like they're afraid to flood. She lives next to a post-flood home, and it's the biggest home in the neighborhood.

Stephen Brandenburg 8245 Oakwood said that it makes no sense to connect Oakwood to River Avenue and take away the culdesac. He said that he heard that it's old infrastructure, has there been an independent 3<sup>rd</sup> party engineer who doesn't have a vested interest in this development come out and review the infrastructure and approve the plan and say it's going to work; if that hasn't been done, it's going to be a disaster. He asked if this is an approval for the plat or the development plan; he asked if Mr. Katona was going to be the exclusive builder of all the lots or will they be for sale so that custom homes can be built or will it be a cookie cutter spec home design. If those things are done, he is in favor of eventually developing their property. Mr. Baker said that this is a preliminary plat, so the layout of the development.

Gail Magsaysay 8128 Oakwood said that trees falling in the property are a good indication of how wet it is back there. She said that the guessing where the water is going is not good enough and is proposing a delay in the development until additional studies and the refurbishment of the water detention is complete.

Carly Brandenburg 8245 Oakwood wants to emphasize the cul-de-sac is vital to their neighborhood. Oakwood is one of the few cul-de-sacs in the neighborhood and children around the neighborhood play there. Her eight-year-old can ride her scooter without fear of the cars speeding up and down Fairway or Northcote. She thinks removing the cul-de-sac will significantly impact the beauty and vibrancy of the neighborhood as a whole, not just Oakwood.

Teresa Tratar 8238 Oakwood said she has had a NIPSCO truck in her backyard on a regular basis. She asked if there would be enough room in between the backyards for them to come and address any issues due to falling trees. She said building more is like putting more toys into the tub; she said they have to find out how the upgrade works before they add more places where water cannot drain. She said the cul-de-sac issue is imperative to their family; that's why they bought their house there. She said there's no reason to connect that road. She asked if the city is not taking care of the drainage problem on their street, if this is put in what assurance do they have that they will fix that.

Josh Hughes 8134 Oakwood presented pictures of his backyard and the property being developed. He said proceed with caution because that's the lowest section behind his yard. He doesn't think there should be cut through on River. He likes the cul-de-sac and everyone else likes the cul-de-sac.

Kathy Schooler 8101 Oakwood said that she lives on the corner of Oakwood and River Drive. Her driveway is on River Drive. Whenever there are heavy rains she cannot get her car out because the flooding is tremendous. So she has to sit in her home until the water goes down. So if they're adding

more homes, she doesn't understand how that is going to benefit her. People have to go out and try to clear the drains.

Ryan Dean 8222 Oakwood said lots 13 and 14 will be elevated to roughly 560 feet. He asked what will happen to lots 7 and 8 on White Oak, whether those lots will be flooded. He said that he's not sure that the preliminary plat could be approved if the Army Corp of Engineers has not signed off on it yet. He asked if another retention pond could be put there so they could lose two lots to alleviate water issues for other properties. He said that a traffic study should be completed and said that there could be a lot more traffic since there is no exit to Ridge from Castle Drive. So they'll have to come down White Oak.

Paul Daniels 8308 Castle said that he would like to speak in favor of another way to get out of Castle Drive to the north. He said that if there's only one way out there will be a lot more traffic on Fairway and in terms of fire emergency it would help to have two ways in if Fairway was blocked. A connection between White Oak and Castle would be acceptable. He said that if there is a lot of excavation and mud, he is concerned about the ways that they'll knock the mud off the trucks whether a mud mat or gravel on both the north and south side. He said that he doesn't want the mud that is generated, to get into the inlets on Fairway and Castle; he said they should have a filter fabric there.

Henry Kroll 8207 White Oak said that his house was destroyed by the flood. He said that he's concerned that we're not being specific enough with the drainage and the retention pond and the use of the existing infrastructure; if it worked terribly 12 years ago, is there any indication that it will be any better with 25 more houses. He said that it's been a problem as long as he's lived here and thinks we should let it sit a couple years to get an idea what sort of new things we're going to be doing to this, we'll be doing a disservice to everyone who lives there.

Leon Kozlowski asked whether they are going to connect River to Northcote. Mr. Baker said no.

David Nellans 1535 Ridge said that he doesn't want to see the roads all connected. He realizes there's a 1938 plan to connect them, but things have changed in those years; that's why they have a Plan Commission, Council, Town Manager, to take a look at those things and decide whether the plan has merit. He supports having a cul-de-sac and doesn't want to see cut through traffic, the Oakwood cul-de-sac has worked out well. He remembers before Castle Drive was built. He said that residents need to contact the Town if there's trouble with drainage. He thinks there's potential but there needs to be discussion. Throughout town they have numerous cul-de-sacs and to say no on this one, the barn door is open.

Mr. Baker closed the public hearing.

Mr. Gardiner asked whether SEH has reviewed the drainage plans. Mr. Vander Woude said that the Town Engineer SEH is independent and works only in the Town's interest. Jill DiTommaso has reviewed the drainage plans multiple times and after revisions were made found no issues. Mr. Gardiner asked whether our engineer has investigated the flooding of Oakwood that took place around February 27. Mr. Vander Woude said he wasn't sure, but it sounds like there were blocked inlets. Mr. Gardiner asked that Town staff follow up with Public Works to find out.

Mr. Torrenga said that they did come in with a plan for a cul-de-sac, but that was denied by the Plan Commission, which insisted that they put in River Drive. Mr. Vander Woude said that it was presented to the Site Plan Review Committee which informed them that a cul-de-sac of that length is illegal per the Town codes. Mr. Torrenga said that doesn't doubt that there's an issue with drainage. He said the manholes for the sewers were installed with solid covers and are 1 to 2 feet below the existing ground

level. All the rims will be raised up to grade, but there are no storm sewer drains in this property, all of that will be added by Mr. Katona. The backyard drains are all new sewers that will connect to the pond. They will tie into one of the larger storm sewers that was installed in the 1970s. He suggested that the Town could camera the line to see if its in good condition. He said that they exceed the Town ordinances for stormwater retention. He said that he believes all the storm water flows to the west to a lift station to the west. He said the stormwater pollution prevention plan shows basket inlet protection devices on all the catch basins on Fairway Avenue, which will collect all dirt and can be easily cleaned. He said when the Army Corp of Engineers did their study for this area they removed everything except where the pond is and a small portion of lots 13 and 14. The reason they didn't remove it is because they considered that to be an area behind the Little Calumet River dike that is prone to flooding and could help with flooding concerns with the Little Calumet River. The Army Corp of Engineers says that is absolute bunk, that is not what that is, the Little Calumet River basin committee signed off on it, the Letter of Map Revision based on fill – to fill those lots to make it acceptable to build is one half foot of dirt, so there is no intention of building the lots up six feet or whatever was said. He said there are no rear yard basins, so the lots drain onto the property and there is nowhere for it to go, it can't get to the retention pond.

Mr. Specht asked how much bigger the new retention pond will be compared to the existing pond. Mr. Torrenga said it will be 30-40% bigger. The existing pond is overgrown and in bad condition. There is a concrete low flow channel and two headwalls, so they're limited to the amount they can excavate – the inlet and the outlet to the pond. They originally showed the pond to be considerably larger because they showed it up against the sidewalk, but they were told by the Town that they had to stay 15 feet from the sidewalk, so they enlarged it to the east; they could enlarge the pond if the Town were to waive the requirement that it be 15 feet from the back of the sidewalk. Mr. Specht asked if the original cul-de-sac plan had more or less lots. Mr. Torrenga said that there would be less lots with the cul-de-sac. Mr. Tulowitzki asked if the builder would be amenable to return to the original cul-de-sac. Mr. Torrenga said the builder would like to go back to that plan. Mr. Vander Woude said that the Town subdivision ordinance limits the length of a cul-de-sac and the proposed cul-de-sac was approximately double the maximum length. Mr. Specht said that we have a cul-de-sac to the east. Mr. Baker said that Oakwood is a dead end, with connections to the east and west. Mr. Tulowitzki asked for clarification that they are voting on the plat only which enables the start of the infrastructure, which doesn't include the housing, or the specific builder. Mr. Vander Woude said that they are approving the layout of the lots, the infrastructure. By approving the preliminary plat they allow a developer to go in and start building the infrastructure, the developer can't build until the infrastructure is complete or bonded for. The Town does not have residential architectural standards, but the developer has provided covenants that have standards for the building materials and landscaping, which will be recorded with the final plat and every house will subject to those. The covenants are nearly identical to those recorded for the existing Castle Drive. Mr. Gardiner asked about the reasoning behind limiting the length of a cul-de-sac. Mr. Vander Woude said that town typically limit the length of cul-de-sacs for public safety – to provide multiple access points to neighborhood or block; it's also a maintenance and operations issue, it's inefficient for maintenance vehicles to be retracing their paths up and down cul-de-sacs. Mr. Baker said that he doesn't see much traffic changing with the extension of River Drive. He said the river is still there so there will be challenges in increasing the water. He said he was adamant that the project be engineered to take on some of the water that might be causing problems for everybody. If the stormwater is done well, it will be a benefit to the neighborhood.

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

Mr. Specht asked if they can say that they would prefer that it be designed as cul-de-sac to address the concerns of the residents and what would be the approval process. Mr. Vander Woude said that anything in the subdivision ordinance can be waived, but staff is not recommending that it be waived. Mr. Tulowitzki said that he's heard a lot of feedback and concerns and thinks that it's worthwhile to consider the concerns before making a vote and he wonders if its possible to think about them and some other design options for a month.

Motion dies for lack of second.

**Motion:** Mr. Tulowitzki moved to defer PC 19-016 to the following month to allow time to consider the valid concerns that were raised.

**Second:** Mr. Specht seconded the motion and suggested that Mr. Tulowitzki meet with his constituents.

**Discussion:** None

**Resolved:** Aye: 5. Nay: 1. Abstain: 0. Chairman Baker voting against.

**MOTION CARRIES.**

#### **Development Plan Review**

- a. None.

#### **Findings of Fact:**

- a. PC 20-001: Town of Munster Plan Commission seeking to amend certain sections of the Munster Zoning Ordinance related to landscaping requirements.

**Motion:** Mr. Gardiner moved to approve.

**Second:** Mr. Koultourides seconded the motion.

**Resolved:** Approved viva voce.

- b. PC 19-015 Community Foundation of Northwest Indiana requesting preliminary plat approval for a three-lot commercial subdivision at 541 Otis Bowen Drive.

**Motion:** Mr. Gardiner moved to approve.

**Second:** Mr. Friedman seconded the motion.

**Resolved:** Approved viva voce.

- c. 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. Gardiner moved to table.

**Second:** Mr. Friedman seconded the motion.

**Resolved:** Approved viva voce.

#### **Other Business/Additional Items for Discussion**

#### **Appointment of Plat Committee**

**Motion:** Mr. Gardiner moved to appoint Mr. Tulowitzki, Mr. Friedman, and Mr. Vander Woude to the Plat Committee.

**Second:** Mr. Koultourides seconded the motion.

**Resolved:** Approved viva voce.

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

**Adjournment:**

**Motion:** Mr. Tulowitzki moved to adjourn the meeting.

**Second:** Mr. Specht seconded the motion.

**Motion carries viva voce.**

Meeting adjourned at 9:58 p.m.

  
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President Bill Baker  
Plan Commission

  
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Executive Secretary Thomas Vander Woude  
Plan Commission

4/14/20  
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Date of Approval

4/14/20  
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Date of Approval