

## **Burns Harbor Advisory Plan Commission Minutes of Monday, January 4, 2021**

The Advisory Plan Commission of the Town of Burns Harbor, Porter County, Indiana met in a regular session on Monday, January 4, 2021 in a Microsoft Teams Virtual Meeting. The meeting was called to order by Advisory Plan Commission President, Eric Hull at 7:00 pm.

The Pledge of Allegiance to the American Flag was recited.

Roll Call:

Eric Hull .....	Present
Bernie Poparad .....	Present
Toni Biancardi .....	Present
Gordon McCormick .....	Present
Jeremy McHargue.....	Present
Sarah Oudman.....	Present

**Additional Officials Present**

Building Commissioner-Rob Wesley  
Attorney-Michael Brazil  
Global Engineering-Jeanette Hicks  
Secretary-Marge Falbo

**Also Present**

Patrick Kleihege

**Reorganization**

Biancardi makes a motion to retain Eric Hull as President and Bernie Poparad as Vice President. McCormick seconded the motion. Motion carried by unanimous vote.

McCormick makes a motion to appoint Bernie Poparad to the Board of Zoning Appeals. Biancardi seconded the motion. Motion carried by unanimous vote.

Poparad makes a motion to appoint Jeremy McHargue to the Plat Committee. Biancardi seconded the motion. Motion carried by unanimous vote.

McCormick makes a motion to appoint Sarah Oudman to the Plat Committee. Biancardi seconded the motion. Motion carried by unanimous vote.

## **Minutes**

Biancardi makes a motion to approve the minutes of December 7, 2020 as written. Oudman seconded the motion. Motion carried by unanimous vote.

## **Communication, Bills, Expenditures**

None

## **Report of Officers, Committee, Staff**

None

## **Preliminary Hearing**

None

## **Public Hearing**

### *Chapter 15 Zoning*

#### *Outdoor Business Property Storage Ordinance*

Attorney Brazil says I think it's ready to go. Hull says does anyone have any comments before I open the Public Hearing. I believe there was a question previously regarding construction materials. Has that been resolved? McHargue says a couple things and this just came up within the last 30 minutes before the meeting. Basically, we're making a small change as far as the materials commonly used to construct fences:

"L. Outdoor business property storage areas shall be enclosed by a solid style fencing material commonly used for constructing fences. The fence height shall be no less than 6 feet."

The only other change we're looking at was definitions. I believe if we just change definitions, we're not changing the Ordinance too much. That's my assumption. Hull says to Attorney Brazil what does that do to our Public Hearing if there is a slight change in common construction material compared to what was published. Attorney Brazil says I think that changes it too much to continue with the Public Hearing. Hull says let's go ahead and get that finalized and corrected. We will continue the Public Hearing until next month and pick it up from that point.

## **Old Business**

Building Commissioner Rob Wesley

- Driveway Widths
- Requests for Public Information

Building Commissioner Wesley says is it possible to continue that until next month as well. I apologize but I've been extremely busy. Hull says and I know you have been out, so we'll give you some time to catch up. Do you have any projects right now that would be impacted by that? Building Commissioner Wesley says no. Hull says how about the requests for public information. Building Commissioner Wesley for public information requests from neighboring municipalities, Portage is the only one I found that charges for those. Hull says Portage is the only municipality that does around us. What is your recommendation. Building Commissioner Wesley says it takes a lot of time. Especially when you're requesting information for something that was built in 1993

and the Building Clerk has to dig through files for four, five or six hours to get all the information that they are requesting. Hull says do you have sample rates of what Portage is charging. Building Commissioner Wesley says they charge \$20.00 per hour plus \$1.00 per page for copies. Hull says does the Clerk-Treasurer office or any other department charge for information for copies. Biancardi says I don't believe any other department charges per hour for the work, but we would charge for copies or anything that's done. McHargue says in the Police department we charge for reports because we are providing a document. I don't think it would be unheard of for our Building Department to charge for copies either. Hull says I don't think there's any problem with copies-50 copies \$50. Maybe that would be a start and you need to take into account the amount of time it takes to look things up. Biancardi says I think this is something the Town Council would want to look at as the whole Town and not separate departments. Hull says we will bring that up at the Town Council and see what we can do.

### **New Business**

*Patrick Kleihege*

*Seeking Acceptance of Phase II Lots 1 & 2 Babcock 2<sup>nd</sup> Subdivision*

Kleihege says thank you for meeting tonight. I am going to ask for the acceptance of Phase II Lots 1 & 2 in Babcock 2<sup>nd</sup> Subdivision. We installed the roadway requested, the curb and I have sent everything to Global Engineering for review along with the engineering estimate. Global Engineer Hicks says we received the engineering estimate and I sent over a letter titled Babcock 2<sup>nd</sup> Subdivision stating that we recommend accepting it and there was a dollar amount that was suggested as the maintenance bond amount. That was based on 10% of the engineer's estimate that Kleihege had supplied. We did do an inspection on the infrastructure and I know that Kleihege followed up with some photos of some restoration along the curb line. Everything is done to our satisfaction. Hull says the dollar amount suggested is \$20,825.00 so 10% of that for the maintenance bond is \$2,085 for two years. Global Engineer Hicks says that sounds about right.

Poparad makes a motion to accept with a favorable recommendation to the Town Council Phase II Lots 1 & 2 in Babcock 2<sup>nd</sup> Subdivision and we collect the maintenance bond in the amount of 10% which will be \$2,085.00 for two years. McCormick seconded the motion. **Motion carried by unanimous vote.**

McCormick says did we verify the addresses that they have attached to those to lots. Are they correct? Kleihege says I spoke with the engineers today and they are 1140 and 1141. They said those were correct, but we can change whatever needs to be changed. Can we do this contingent on the addresses? I can work with Building Commissioner Wesley on that and whatever the changes that need to be made we can change them. Hull says isn't there something that has to do with the Post Office or the 911. Building Commissioner Wesley says both. Kleihege says we contacted both and there are no problems with the addresses that we have on the plat, but if we want to change them, I'll go through the process to get them approved. Hull says to Global Engineer Hicks will you verify that those are correct prior to next Wednesday before the Town Council meeting so I can let them know the address numbers are good. Global Engineer Hicks says, yes, I will verify that. Hull says what happened to Outlot B. Kleihege says it was purchased by Lot 20 and that has closed. Hull says, thank you, I'm glad to see that that portion is completed – it was quite a challenge. Kleihege says I thank everyone for their help getting me through this and I wish everyone a happy and safe new year.

*Review: Bonds, Maintenance Guarantees, Letters of Credit*  
None

### **Good of the Order and Any Other Business**

#### *Shipping Containers*

Building Commissioner Wesley says I have a sample of a sticker I was thinking of putting on shipping containers. I'll email this out to everyone tomorrow. Also, we're still working out the details for an application for this and will have something soon because it starts next month.

#### *Request for Information*

Oudman says can we differentiate by property type. Hull says to Building Commissioner Wesley do you run into a lot of commercial type information requests that you spend a lot of time on compared to residential. Building Commissioner Wesley says residential is not an issue at all. Nine times out of ten we can answer questions over the phone. It's when there's a property sale, for example, the Bosak transactions—they wanted every piece of information about all the Lakeshore properties. It literally took a few days to pull everything for them. It was a big undertaking in addition to trying to keep the regular office work done. Hull says to Biancardi when we get into fee schedules is it simple to differentiate between the two. Biancardi says yes. I think we can talk about this at Town Council. We need to discuss tracking time and other things, but it's definitely something we can do. Hull says we will absolutely take that to the Town Council.

#### *Virtual Meeting Software Change*

Hull says to Poparad regarding the January BZA Meeting, we will be on new software for virtual meetings. It will be a Zoom call, so we'll operate a little bit differently. Either Biancardi or I will help you get it set up and make sure everything works.

#### *2021 Plan Meeting Dates*

McCormick makes a motion to move the July 5 meeting date to July 12 and the September 6 meeting date to September 13. McHargue seconded the motion. **Motion carried by unanimous vote.**

### **Announcements**

None

### **Adjournment**

McCormick makes a motion to adjourn at 7:49 p.m. McHargue seconded the motion. **Motion carried by unanimous vote.**

**APPROVED on February 1, 2021**

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Eric Hull, President

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Marge Falbo, Secretary