

**Plan Commission  
Study Session Notes  
June 3, 2024**

**I. Call To Order**

The Plan Commission Study Session was called to order at 6:00 P.M. by President Tom Anderson at the Schererville Town Hall, 10 E. Joliet St.

A. Pledge of Allegiance

The Pledge of Allegiance was recited.

B. Roll Call

Roll Call was taken with the following members present: President Tom Anderson, Vice-President William Jarvis, Secretary Gary Immig, Mr. Myles Long, Mr. Robert Kocon, and Mr. Tom Kouros. Staff present: Town Manager James Gorman, Director of Operations Andrew Hansen, and Recording Secretary Megan Schiltz. Absent were Mr. Chris Rak and Planning & Building Administrator Denise Sulek. In the audience was Councilman Caleb Johnson.

**II. Commission Business**

A. 8101 Wicker Ave. – Northwood Falls (Proposed: Night Falls/Trail Enhancement)

General Location: 8101 Wicker Ave. – Eagle River Northwoods Addition, Lot 1, Ex.  
E. 135 Ft. of S. 125 Ft. of N. 215 Ft.

Petitioner(s): Jeff Conti

Request: U.S. 41 Commercial Corridor Overlay District Development Review

Mr. Jeff Conti with Northwood Falls represented the Petitioners. Mr. Anderson stated for the record that Mr. Conti was before the board at the previous Study Session looking to add entertainment to the outside. Mr. Anderson said that he understands the Building Department had been there to take a look at the buildings. Mr. Conti replied that he has met with the Building Commissioner and Electrical Inspector. Mr. Gorman informed the board that when they went out they had taken pictures. Mr. Hansen showed the photos taken on the projector screen. Mr. Anderson stated that the two main concerns they have are whether the buildings were safe and that the electric was up to code; then asked what the Town Inspectors determined with the buildings. Mr. Gorman said they had stated that the buildings were fine and that they are fastened down on top of a concrete pad, but the electric is definitely not up to code. Mr. Gorman went on to say that in their words there were “extension cords running everywhere.” Mr. Conti stated that they do have extension cords because they do not have permanent power yet and that it is one of the things they had applied for on the permit application recently submitted. Mr. Conti then pulled out an extension cord that he had brought stating that they are not normal extension cords, they are I65 12 gage weather proof cords that are provided for temporary use. Mr. Conti continued to say that they are meant to be temporary and that they only cross the path in about six locations throughout the trail. Mr. Conti stated that he had spent a lot of money on several extension cords to minimize how many times they cross the trail and when they do they are buried underneath the surface; adding that it is only temporary and that they plan is to go overhead. Mr. Conti informed the board that he had spoken with NIPSCO because they have a power box that is out back as well as an electrical box that is between the first and second cabins. Mr. Conti went on to say that he suspects that the electric box has enough power to give them a 100 amp 3 phase for permanent installation, but NIPSCO is unable to come out to tell them what is in there until later in the week. Mr. Conti said that otherwise they have the normal plan to take the power from the electric in the Northwoods building and run it out that way.

Mr. Anderson asked if they had an electrical contractor. Mr. Conti responded that they usually use Foster Electric but have not put a bid out and that are unsure if they were going to

come in. Mr. Anderson stated that the buildings do meet code but the electric would have to meet building code as well, with an electrician doing the work and with it overhead or buried underground. Mr. Conti said it would be an overhead because the ground is too hard to bury and there are too many things in the way. Mr. Conti stated that this was always meant to be a temporary solution and would need to get permanent power. Mr. Conti added that he was going to propose to the electrical inspector that they could have a few months to get the electric overhead because they would have to make sure that this would be economically viable. Mr. Conti stated that when he had previously looked into doing this before they were pulling electric out of the building itself; adding the estimates that he had been receiving were in the \$50,000 - \$60,000 range for them to go to overhead. Mr. Conti continued to say that he would have to prove that it would be an economical viability before going through that expense; adding that is why they had spent \$5,000 on extension cords to get through for a little while. Mr. Conti said that they had every intension of pulling permanent power in and they want to be compliant. Mr. Anderson informed Mr. Conti that this would not be able to be open to the public until the permanent power is in because it must meet code before it could open. Mr. Conti replied that he does not know about that and that it threatens the viability of the business; Northwood Falls is not viable without this trail and does not believe they could do that before they open. Mr. Conti continued that he believes they would have to meet an agreement where they could use temporary power until October or November in which case they would have to have the permanent power. Mr. Anderson stated that they could not budge on the Building Code and that this is non-negotiable, it must be to code before it is permitted to be open. Mr. Anderson went on to say that they would have to have an electrical contractor do the work and it could not be open until it had passed inspection and meets code. Mr. Conti responded that he would have to do some research himself because he is not sure that it does violate code, it would be a temporary insulation and doubts the Plan Commission has had too many electrified night trails submitted. Mr. Conti went on to say that he is not trying to disagree, the reason the extension cords were provided were as a temporary solution; adding that the Town uses them for festivals, so he would like to make sure he understands the code better. Mr. Conti added that this challenges everything and that they have to open soon and that it is already a late opening.

Mr. Kouros asked if the lighting would be at each tree or if there is a central location for the lighting to project to the trees. Mr. Conti replied that they have both that change colors and are RGBW, as well as I65 and waterproof that shine up at the trees. Mr. Conti continued to say that they have 3 or 4 of them that are around most of the trees; adding that they also have heated conditioned boxes that provide moving beam lights above the trees. Mr. Conti summed up that there are a total of 18 moving lights and 120 can lights underneath the trees, LED disco ball lights, 3 watt lasers because 5 watts is dangerous to the eyes, as well as some solar lights, but mostly electric low voltage in the trees along the path. Mr. Kouros asked if it was correct that they were projecting Christmas to be the busy season. Mr. Conti replied yes, however they will be open year round using different colors and themes to reflect each holiday season. Mr. Conti stated that he also plans to put igloos on the deck during the cold dreary months to draw customers in. Mr. Conti added that the trail has been open since they had purchased Northwood Falls and people seem to love it. Mr. Immig asked if the Building Department said that overhead lighting would be acceptable. Mr. Conti replied yes. Mr. Immig then asked how it would look and if there would be poles. Mr. Conti stated that they use triplex, depending on the gage and how far it is coming from the power cords; saying it would go to a power station or a central location. Mr. Conti went on to say that in this situation, the central location would be located in the cabin that has the lights that could probably carry 100 amps. Mr. Immig wanted to verify that the trees would be used as poles. Mr. Conti stated that was correct.

Mr. Jarvis stated that he does not know the details of the layout or line draws across the distance, asking if he had discussed with the Electrical Inspector about running the I65 cables overhead. Mr. Conti replied that they had not because he does not want to cut them in order to go in the box. Mr. Jarvis said that he should talk to the inspector on how to make this work. Mr. Conti responded that he had discussed about using cords as a temporary means and it was suggested to put the cords in a pvc conduit under the trails at the 7 or 8 locations that it crosses over; adding that the inspector stated that this would be a viable temporary solution. Mr. Jarvis stated that the go ahead would need to come from the Electrical Inspector. Mr. Anderson said that in the end it would have to meet code. Mr. Conti stated that he does intend to go overhead with everything and then asked if the board suggests that he should meet with the inspector to get his blessing for temporary. Mr. Anderson responded that they could not allow them to operate if it does not meet code. Mr. Gorman stated that was absolutely correct. Mr. Conti then asked what would be the code for temporary. Mr. Anderson replied that they do not use the word temporary and that it would have to meet code permanently in order to receive the greenlight. Mr. Gorman added that there could not be extension cords. Mr. Anderson continued to say that the board cannot allow something for

temporary until it meets code and therefore could not be used for the public. Mr. Conti stated that he does not disagree about the trail and doesn't believe that if he looked in the NEC Book he would find an answer. Mr. Anderson responded that is why he would need an electrical contractor who is licensed with the Town that could tell him how to meet code. Mr. Anderson added that currently it doesn't and they could not allow for this to be used until it meets code. Mr. Conti replied that he would get with his electrical contractor and with the inspector again to see where they could go from there. Mr. Conti went on to say that they obviously could not suffer too much of a delay by missing the season. Mr. Conti then stated that they would have to close Northwood Falls if they are not able to do the Night Falls because they are about \$1.5 million in debt already. Mr. Anderson stated to talk to a contractor and the inspector.

B. 1906 U.S. 41 – Plaza Heights Addition, Lot 2  
(Review of existing drive-thru for potential tenant)

General Location: 1906 U.S. 41 – Plaza Heights Addition, Lot 2

Petitioner(s): Feras Musleh

Request: Review existing drive-thru stacking and traffic configuration through the site

Mr. Anderson stated that there was a scheduling mix-up and that petitioner Mr. Feras Musleh would not be present; adding the Attorney for the project had informed him that he had emailed Ms. Sulek to remove from the agenda, but she was not there today. Mr. Gorman informed the board that they still have the plans in front of them and that this is going to remain a coffee shop with a drive-thru, just like what was there before. Mr. Gorman continued to say that technically the petitioner could say that they have already had this approved, but we had suggested they come before the board because it would be a Starbucks which is a "hot ticket item." Mr. Anderson stated that he has been through the property and believes it would help substantially if they delineate the lanes at the west drive-thru, to let customers know it is two way traffic. Mr. Anderson went on to say that they already have stacking for seven cars up until that point and if they could stripe heading north it would help let the customers know it is two way as well. Mr. Gorman said that the Planning & Building Department had sign companies calling trying to see what was allowed; adding that they had informed them to let us know what they would want and we would say if it was allowed, because we could not make the plan for them. Mr. Anderson asked if this is in a Sign District or was it just the Hampton Hotel. Mr. Gorman answered that he doesn't think that it was but was not 100% sure. Mr. Anderson then asked if they have their own free standing sign. Mr. Gorman replied that he thinks they do but would have to look back at the plan from a few years ago.

Mr. Immig asked about the building to the north. Mr. Gorman responded that it had not been built yet. Mr. Jarvis stated that from what he could tell they have a drive thru that had already been approved and that as long as the signage fits in the category that was previously there, he doesn't see why this would need to come before them. Mr. Anderson said that if they go in with the signage that was existing, they would just need to get a sign permit; but if they want more signage they would have to come before the board since it is in the Overlay District. Mr. Gorman responded that they had already let them know that they were allowed to have what the Jamba Juice drive thru had because it was already approved, but would need to come in front of the board if they wanted more. Mr. Anderson stated that he is sure that they would be agreeable with painting a stipe down the middle because when people come in they would just go west thinking it is a one way; but as long as it was delineated that it is a two way traffic it would help. Mr. Kouros asked Mr. Gorman if he believed this would cause a backup on Route 41. Mr. Gorman replied that he believed there was a turn lane. Mr. Anderson said that the entrance that goes to the south by the Omelette House connects them. Mr. Kouros wanted to verify that they would have different options to enter. Mr. Gorman stated that was correct and that they even had a turn lane. Mr. Anderson informed Mr. Gorman to let the petitioners know that the board would like that linage delineated and maybe even a sign saying two way traffic and that if they wanted more signage they would have to come before the board because it is the Overlay District.

### III. Adjournment

There being no further business, the meeting was adjourned at 6:27 P.M.