

**MINUTES OF THE PLAN COMMISSION
PUBLIC MEETING
AUGUST 7, 2023**

I. CALL TO ORDER

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

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, Secretary Gary Immig, Mr. Myles Long, Mr. Robert Kocon and Mr. Tom Kouros. Staff present: Town Manager James Gorman, Director of Operations Andrew Hansen, Attorney Christian Bartholomew, Mr. Mike Helmuth from Nies Engineering, Planning & Building Administrator Denise Sulek, and Recording Secretary Megan Schiltz. Absent was Vice-President William Jarvis and Mr. Chris Rak. In the audience was Councilman Caleb Johnson.

C. Approve Minutes of the Plan Commission Public Meeting of July 3, 2023

Mr. Gary Immig made a motion to approve which was seconded by Mr. Tom Kouros and carried 5-0.

II. PUBLIC ACTION AND PUBLIC HEARINGS

A. P.C. CASE #23-6-3

TRC TOTAL ROOFING & CONSTRUCTION SERVICES, INC.

General Location: 2211 U.S. 41 – Oakside Square, Lot 1

Petitioner(s): Greg Cooper – Emerald Management Inc./TRC Total Roofing & Construction Services, Inc.

Request: Secondary Approval of a U.S. 41 Commercial Corridor Overlay District Development Plan

Mr. Anderson asked if Mr. Cooper or anybody from Total Roofing was present. There being no one present Mr. Anderson stated this was granted Primary Approval last month and asked if there had been any changes. Ms. Sulek responded that there have not been any changes. Mr. Anderson asked if there were any questions or comments from the floor. There being no comments from the floor the matter was brought back to the Board. Mr. Kouros made a motion to approve P.C. Case #23-6-3 pursuant to all State, Local, and Federal regulations and that all fees be paid to the Town of Schererville. This was seconded by Mr. Kocon and carried 5-0.

B. P.C. CASE #23-7-7 U-HAUL OF PINE ISLAND

(Proposed: Conversion of storage warehouse into office/showroom)

General Location: 5048 W. Lincoln Hwy.

Petitioner(s): Foster 81st LLC/U-Haul Co. of Northern Indiana and South Cook County – Rick Rottweiller, Area District Vice President

Represented by: Michael D. Cook, P.E. – Cook Engineering Group

Request: Secondary Approval of a U.S. 30 Commercial Corridor Overlay District Development Plan

Mr. Michael Cook represented the petitioners. Mr. Cook stated that they were there for Primary approval on 7/3/23 and that at this time nothing has changed from that meeting. Mr. Cook continued to say that the applicant has submitted for a building permit with the Town, however they are currently working through some licensing issues with one of the sub-

contractors; the permit has been ready to pickup to start the work but nothing has been started yet. There being no questions or comments from the Staff or Board Mr. Kouros made a motion to approve P.C. Case #23-7-7 pursuant to all State, Local, and Federal regulations and that all fees be paid to the Town of Schererville. This was seconded by Mr. Long and carried 5-0.

**C. P.C. CASE #23-7-6 DC COMMERCIAL, LOT 2
(Proposed: 4-Unit Retail Building W/ Drive-thru)**

General Location: 275 U.S. 30 – DC Commercial, Lot 2

Petitioner(s): Jim O’Mally – Sumac, Inc.

Request: Primary Approval of a U.S. 30 Commercial Corridor Overlay District Development Plan

Ms. Sulek stated that Mr. O’Mally is going to be late. Mr. Anderson said they will recall P.C. Case #23-7-6 and will move on to the next case.

Mr. Anderson recalled **P.C. Case #23-7-6**. Mr. Jim O’Mally represented the petitioners. Mr. O’Mally stated they are back after the case was deferred last month after needing final determination based on signage sizes and cleaning up the elevations. Mr. O’Mally continued that no plans have changed, the elevations were cleaned and that the signage dropped from approximately 60 sq. ft. per sign on each tenant per side to 37.5 sq. ft. per tenant. Mr. O’Mally said because they are entering the property from the south, they are asking for approval for additional signage then the allowable zoning code adhering to each major facade; the monument sign was also brought down from the allowable area of 96 sq. ft. to 80 sq. ft.; and the landscape plan is complete and in ordinance.

Mr. Anderson opened the matter to the floor. There being no comments from the floor the matter was brought back to the Board. Mr. Anderson verified that the drive-thru will be Dunkin Donuts and the other 3 units do not have a use yet. Mr. O’Mally said that is correct. Mr. Immig asked if there was going to be just one bollard located at the checkout window. Mr. O’Mally said that is going to be just a couple feet away from the window. Mr. Kouros asked if the patio was supposed to be protected with bollards around there. Mr. O’Mally stated that when this was going to be a medical facility they had bollards surrounding the generator; but since the generator is no longer needed it will just be curb and landscaping around there. Mr. Kouros asked Mr. Gorman if he is ok with that. Mr. Gorman stated that he would think they would want that in case someone was sitting out there but that would be up to the Board, adding he believes it would be better to be safe than sorry. Mr. Anderson asked if that traffic is one way there. Mr. O’Mally said it was and they are already in a parking lot environment, so he could not see a car going over 10mph. Mr. Anderson asked what the distance from the patio green space to the driveway was and how big is the patio. Mr. O’Mally responded there is a 10 ft. difference and that the patio area is about 12x12. Mr. Anderson suggested they should have bollards just for safety and he believes they could get away with just a couple since it is only needed on one side. Mr. O’Mally did not think that would be an issue. Mr. Gorman asked Mr. Anderson if he is saying that only on the east side. Mr. Anderson responded that yes because traffic is really only one way. Mr. Anderson asked Mr. Helmuth if there was a letter provided at the last meeting from engineering. Mr. Helmuth stated he does not believe there was one. Mr. Gorman added he does not think there was any issues.

Mr. Kouros made a motion to approve P.C. Case #23-7-6 contingent upon the addition of two bollards at the patio area, pursuant to all State, Federal, and Local regulations and that all fees be paid to the Town of Schererville. This was seconded by Mr. Long and carried 5-0.

D. P.C. CASE #23-7-8 FALLING TIMBERS

General Location: 204 W. Division St.

Petitioner(s): Sammons Grantor Trust

Represented by: Torrenga Engineering

Request: Primary Approval of a 4-Lot (G.I.) General Industrial Subdivision W/Waiver of Storm Drainage Control Ordinance No. 1708/1708A, Title X, Section 8: General Detention Basin Design Requirements

Mr. Anderson read a letter from Mr. Neil J. Simstad, P.E. from Nies Engineering for the record stating that the submittal for Falling Timbers is in compliance for consideration by the Plan Commission for Primary Approval. Mr. Anderson asked Attorney Bartholomew if Proofs of Publication were in order. Attorney Bartholomew stated this was deferred on the July 3rd meeting so the proofs were previously approved. Mr. Gary Torrenga from Torrenga Engineering represented the petitioners. Mr. Torrenga stated that they are proposing to do a 4-Lot subdivision on the north side of Division St. just east of Gatlin Drive. Mr. Torrenga went on to say this property is presently owned by Doug and Steve Construction and they would like to develop some lots along Division for business and industrial purposes.

Mr. Torrenga stated that at the north side of the property boundary there is a Schererville ditch that runs from south east to north west, and that on the south side of this ditch there is a huge lake that will suffice for the necessity of the storm water detention. Mr. Torrenga went on to say that the sanitary sewers will come from an extension of a sanitary sewer that was put in on the west side of Gatlin Rd. which can be brought up to a point so they can be used for tying into with a sanitary lift station on their side; adding that the water main exists along Gatlin Rd. and that they will be tying into that and bringing it east to the boundary of Lot 4. Mr. Torrenga said that at the Study Session it was requested that they dedicate an easement to the east end of the subdivision which they have done. Mr. Torrenga added that there were no other concerns other than that there is a floodplain and a floodway on a portion of this property; stating they are not doing anything in the floodway due to it being east of anything they have proposed. Mr. Torrenga continued to say the floodway fringe would not bother them because there will not be any basements in the buildings and the floors will be 2 ft. above the high water elevation of the ditch.

Mr. Anderson opened the matter to the floor. There being no comments the matter was brought back to the Board. Mr. Anderson asked what the reason was for the deferral. Mr. Torrenga answered he believes it was to make sure there would be an easement. Mr. Anderson stated there is a situation where a floodway has been filled in and needs to be remediated. Mr. Torrenga responded that it has not been filled in and that there are certain construction materials that have been stored there and that the owner has already agreed to move the materials out of the floodway. Mr. Anderson said that all they are looking for is that this be put back to the way it should be and that a contingent be made that no permits be drawn until Staff is satisfied with the remediation of the area identified; this way approval would not be held up. Mr. Gorman stated that he is in agreement. Mr. Kouros made a motion to approve contingent no permits are to be pulled until Staff is satisfied with the clean-up of the floodway and that all fees be paid to the Town of Schererville. This was seconded by Mr. Kocon and carried 5-0.

E. P.C. CASE #23-8-9 MEMORY LANE ADDITION

General Location: 6305 W. Lincoln Hwy.

Petitioner(s): First Baptist Church of Hammond – Eddie Lapina

Represented by: Torrenga Engineering

Request: Primary Approval of a 1-Lot (IN) Industrial Subdivision W/Waiver of Storm Damage Drainage Control Ordinance No. 1708/1708A and U.S. 30 Commercial Corridor Overlay District Development Plan

Mr. Gary Torrenga from Torrenga Engineering represented the petitioners. Mr. Torrenga informed the Board that they are proposing to build a new maintenance building east of the existing shed for all necessary cemetery equipment, incorporating the old with the new. Mr. Torrenga went on to say that at the study session the Plan Commission had requested that because this Lot fronts on U.S. 30 we must provide an access easement on the plat to come in through the main entrance. Mr. Torrenga added that they don't intend to use that as an access, and that they intend to strictly use the existing access to get to the maintenance building from the exiting entrance of the subdivision. Mr. Torrenga said that because that is not part of the subdivided lot but owned by the Baptist Church, they have granted on the subdivision plat an access easement that fits exactly the current route that the path takes right now to fulfill the request by the Plan Commission.

Mr. Anderson read a letter from Neil J. Simstad, P.E. from Nies Engineering for the record stating that the submittal for Memory Lane Addition is in compliance for consideration by the

Plan Commission for Primary Approval of a 1-Lot Institutional Subdivision. Mr. Anderson then read a letter of resolution from the corporate board of the first Baptist church of Hammond, IN recorded document #2023-018061 on July 17, 2023 that they will have perpetual access to Lincoln Highway by means of the existing main entrance to the cemetery as per the attachment document.

Mr. Anderson then opened the matter to the floor. Mr. Larry Kondrat from 2838 Liberty Drive Schererville, IN stated that he does not have a problem with this. Mr. Robert Parker from 5389 72nd Ave. on behalf of his mother in-law from Redwood Ct. asked what the possible impact of the development on her property will be particularly concerning the storm water. Mr. Torrenga responded that what they are doing is so minuscule that the property right now is essentially what the property will be after they build this building; they are building on the east side of the current building and are not substantially changing anything. Mr. Torrenga then stated that they are not adding any roads just adding a little bit of gravel pavement so the water can go down through that gravel in the area between the buildings. Mr. Parker then asked if the waiver is justified because the development is so minor. Mr. Gorman responded that is correct.

There being no further comments from the floor the matter was brought back to the Board. Mr. Anderson asked if Proofs of Publication were in order. Attorney Bartholomew stated they were in order and would also like to note that a few mailers bounced back but since it was published it should be in compliance. Mr. Anderson stated that he believes that they do not have their permit from down State yet. Mr. Torrenga stated that the permit for the State Release will be submitted subsequent to the approval they receive from the Board and they understand it has to be delivered to Ms. Sulek and the Building Inspector before pulling a permit. Mr. Immig asked if there have been any issues with water drainage to the residence prior. Mr. Torrenga responded there has not been any at all. Mr. Kouros asked if aesthetically they want the building at the entrance because the other building is there. Mr. Torrenga replied it doesn't get any simpler than that. Mr. Kouros made a motion to approve P.C. Case #23-8-9 pursuant to all State, Local, and Federal regulations; that all fees be paid to the Town of Schererville and that no permits be issued until released from the State of Indiana. This was seconded by Mr. Long and carried 5-0.

F. P.C. CASE #23-8-10 U-HAUL OF PINE ISLAND ADDITION

General Location: 5048 W. Lincoln Hwy.

Petitioner(s): Foster 81st LLC/U-Haul Co. of Northern Indiana and South Cook County – Rick Rottweiler, Area District Vice President

Represented by: Michael D. Cook, P.E. – Cook Engineering Group

Request: Primary Approval of a 2-Lot (B.P.) Business Park Subdivision W/Waivers of Storm Drainage Control Ordinance No. 1708/1708A

Mr. Anderson asked if Proofs of Publication were in order. Attorney Bartholomew stated that they were. Mr. Michael Cook from Cook Engineering represented the petitioners. Mr. Anderson asked if they were just looking for approval to make a 2-Lot subdivision. Mr. Cook stated that what they are proposing to do is make aesthetic improvements to “building C” on the exterior that was part of the Overlay plan approval that was just granted tonight. Mr. Cook went on to say they are not doing anything to the site, the only thing that was done since the last meeting was they cleaned up the ditch which was requested by the Board and did some striping. Mr. Anderson read a letter from Neil J. Simstad, P.E. from Nies Engineering for the record stating that the submittal for U-Haul of Pine Island is in compliance for consideration by the Plan Commission for Primary Approval of a 2-Lot Business Park Subdivision.

Mr. Anderson opened the matter to the floor. There being no comments from the floor the matter was brought back to the Board. Mr. Anderson asked if this was basically just some housekeeping being done. Mr. Gorman stated it was and that if they plan on doing anything on Lot 2 they would need to subdivide so they are doing that now. Mr. Kouros asked if the Town has been out and if they are satisfied with the clean-up. Mr. Gorman stated they were. Mr. Kouros made a motion to approve P.C. Case #23-8-10 pursuant to all State, Local, and Federal regulations and that all fees be paid to the Town of Schererville. This was seconded by Mr. Kocon and carried 5-0.

III. COMMISSION BUSINESS

- A. Reschedule Plan Commission Public Meeting and Plan Commission Study Session from September 4, 2023 to September 11, 2023 – 6:00 P.M.

Mr. Immig made a motion to approve which was seconded by Mr. Long and carried 5-0

- B. Findings of Facts:

- A. P.C. Case #23-7-7 U-Haul of Pine Island
(Conversion of Storage Warehouse into Office/Showroom)
Primary Approval of a U.S. 30 Commercial Corridor Overlay District Development Plan
APPROVED W/CONTINGENCIES (4-0) 7/3/23

Mr. Kouros made a motion to approve which was seconded by Mr. Immig and carried 5-0.

- C. Correspondence

There was no correspondence.

IV. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:46 P.M.

Respectfully Submitted:

Garry Immig, Secretary