

Town of Michiana Shores
601 El Portal Dr.
Michiana Shores, IN 46360-1175
Office Phone: (219) 874-3193 • Fax: (219) 874-3770

Advisory Plan Commission
Meeting Minutes, January 21, 2020 7:00 pm

Meeting called to order by Vice President Matt Bowen at 7:05 pm, Michiana Shores Fire Department Meeting Room.

Roll Call:	Matt Bowen, Vice-President – Citizen Member	Present
	Mike Lancioni – Council Appointment	Present
	Michael Martinez – Council Appointment	Present
	Pam Dubie – Citizen Member	Absent
	Howard Jablon – Citizen Member	Present
	Ray Dumbrys – Citizen Member	Present
	Ralph Box – Citizen Member	Present
	Steve Thomas - Building Commissioner	Absent
	Jeffrey Gunning - Attorney	Present

Swearing in:

Swearing-in of new term Commission members (Howard Jablon, Ray Dumbrys, Ralph Box).

Election of new officers. Howard Jablon nominated for President by Ray Dumbrys. Seconded by Mike Lancioni. Unanimous approval (6/0). Matt Bowen nominated for Vice President by Ray Dumbrys. Seconded by Mike Lancioni. Unanimous approval (6/0).

Minutes:

The minutes of the December 3, 2019 meeting were approved. Mike moved to accept the minutes and Ray seconded. All present approved. 6/0

Agenda:

Howard requested a change to the agenda to cover Old Business first, followed by New Business.

Howard requested approval of the agenda. Mike moved to accept, Ray seconded.

Old Business:

1. Coffee/Hartmann (C/H) - proposed construction of home at the corner of Powhatan and Shadow
 - a. C/H returned with revised plans for consideration.
 - b. It was clarified by Matt in that new (modified) plans were being submitted this is considered a new petition.
 - c. C/H stated they had talked with Steve Thomas, Building Commissioner, and resolved several issues.

- d. Atty. Gunning stated he had traded phone messages with C/H attorney, Steve Hale. Hale had indicated that they would not be ready for tonight's meeting. C/H clarified that they had received new update plans that afternoon and were prepared to discuss with the Commission.
- e. Matt stated the he was not fully comfortable without the Building Commissioner being present. Howard stated to all that the Building Commissioner does not work for the Plan Commission, but reports to the Town Council. Matt stated that he is OK that progress is being made.
- f. Mike stated he has additional issues to discuss:
 - i. Based on the current site plan, dated 10/21/1019, the house is very close to the flood plain. He reviewed his discussion with George Bowman at the IDNR on using LIDAR to get more accurate measurements. The plan shows the construction very close (one foot) from the flood plain. Mr. Bowman confirmed and said that the location would be in the “fringe” of the flood plain. Mike is asking for more exact GPS points on the plan. We cannot approve without exact grades, elevations, etc.
 - ii. Mike indicated the lot frontage will need a variance by the BZA. C/H stated that is one of the issues the attorneys are working on. Howard clarified that the role of the Plan Commission attorney is to advise the Commission.
 - iii. Mike’s third issue is that the square footage of the home and lot size are not to our code. He believes that unbuildable lots (in flood zone) do not count for lot size square footage.
- g. Mike asked for a review of the outstanding items from Plan Commission meeting minutes from 12/3/2010, Old Business, 2. viii. A-D.
 - i. A – Septic Permit. C/H stated that the septic permit had been reinstated.
 - ii. B – Setbacks and guy wire through proposed septic location. C/H stated that with new layout all setbacks are met. Matt was concerned that this occurred even though there is a wire running through the location of the proposed septic site. C/H will work with NIPSCO to move it.
 - iii. C – Proposed pillars. C/H submitted a letter from engineer Jeffrey A. Bartoszek, P.E. of Integrity Structural Engineering, PLLC of St. Joseph Michigan stating that the proposed pillars and foundation is acceptable as revised in drawing S-1, submitted to the Plan Commission.
 - iv. D. Bump out. C/H stated that the bump out has been removed from the design and submitted updated drawings to that effect.
- h. Mike stated he has had some concerns on the location and access to the parking on the plan, but it should be clearer, with more accurate GPS info on the site plan.

- i. C/H requested to be on the agenda for the next meeting (2/4/2020).

New Business:

1. Howard stated that since items A (update to Comprehensive Plan, CP, for rentals) and B (Short Term Rental Ordinance, STRO) are related they should be discussed together.
 - a. Mike stated that the proposed STRO was approved (5/0) at the last Town Council meeting as a first reading.
 - b. Mike raised the point that it was not necessarily under the purview of the Plan Commission to approve the STRO.
 - c. Atty. Gunning stated that updates would be necessary to the CP to include rentals.
 - d. Howard confirmed that updates to the town ordinances for this would need to first be addressed in the CP.
 - e. Mike and Howard will develop language to update the CP. We will review this at the next meeting.
 - f. Atty. Gunning stated that we would not be approving the changes to the CP at that point. We would be proposing updates to the CP. We then have to publicly publish the proposed changes and allow for 10 days of public notice and then a public hearing.
 - g. Matt stated that we would like to see the final wording of the proposed ordinance a week before being resubmitted to the Town Council.
 - h. Howard and Matt both stated that the enforcement portion of the STRO likely will be an issue. We have great difficulty with enforcement of current requirements of this nature.

Commission Comments:

1. Atty. Gunning discussed that the Plan Commission members should review the findings from the Compliance Review State Board of Accounts on the collection of building fees. This is found at www.in.gov/sboa.
2. Howard asked for input for the next meeting agenda. The proposed language updates to the Comprehensive Plan will be discussed. If C/H has updated information (full GPS readings and updated plan), we can review at that time.

Public comments:

1. None

Matt Bowen moved to end the meeting and Ray Dumbrys seconded. All approved: 6/0.

President Howard Jablon adjourned the meeting at 9:00 pm.

Next meeting date: February 4, 2020

Minutes submitted by:

Ralph Box, Interim Recording Secretary

Howard Jablon, President