

**Town of Michiana Shores**  
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**Advisory Plan Commission**  
**Meeting Minutes of July 7, 2020 7:00 pm**

The Regular Meeting of the Plan Commission of the Town of Michiana Shores was convened at 7:00 pm on Tuesday, July 7, 2020. At the time leading up to this meeting, the country was facing a pandemic outbreak of the novel coronavirus COVID-19. In response, Indiana Governor Eric Holcomb issued a series of Executive Orders which, among other things, declared a public health emergency and suspended various state statutes. On March 18, 2020, Town Officials were notified that the Michiana Shores Fire Station and Public Meeting Room were closed to the Public by order of the Chief of the Michiana Shores Fire Department. On March 23, 2020, the Governor issued Executive Order 20-09 which specifically addressed public meetings and the Indiana Open Door Law. The Executive Order along with the opinion and Guidance issued by the Indiana Public Access Counselor (“PAC”) allowed for meeting to be held by videoconference or by telephone conferencing. This allowance remains in effect for the duration of the public health emergency that was declared in Executive Order 20-02. Thus, this allowance was in effect on the night of the virtual meeting of the Plan Commission.

In accordance with the PAC Guidelines, notice of the virtual meeting replacing the meeting at the Fire Station Public Meeting Room and access to the virtual meeting by videoconferencing was posted on the Town’s website in advance of the meeting.

1. Meeting called to order by Howard Jablon at 7:00 pm, via Zoom. All members remote. Public can access via Zoom invite posted on the Town website.

**2. Roll Call:**

Howard Jablon – President	Present
Matt Bowen, Vice-President – Citizen Member	Present
Mike Lancioni – Council Appointment	Present
Michael Martinez – Council Appointment	Present
Pam Dubie – Council Appointment	Absent
Ray Dumbrys – Citizen Member	Present
Ralph Box – Citizen Member	Present
Steve Thomas - Building Commissioner	Present
Daina Dumbrys – Acting Recording Secretary	Present

Doug and Debra Jensen – guests  
Joan Lewis – guest  
Brenda Heckman - guest

3. **Agenda:** Howard Jablon requested approval of the agenda. Michael Martinez moved to accept, Mike Lancioni seconded, all present approved by show of hands and voice: 6/0.

**4. Minutes of the June 2, 2020 meeting:**

Howard Jablon called for approval of minutes from the 6/2/2020 meeting. Suggestions for corrections were made prior to the meeting by Acting Secretary Daina Dumbrys. Ralph Box

moved that the corrected minutes be accepted, Ray Dumbrys seconded the motion. All approved by roll call voice. 6/0

**5. Old Business:**

- a. Howard Jablon called the Jensens: Doug and Debra Jensen requested a permit for an addition at 320 Groveland Trail. The Jensens submitted corrected plans to enlarge and enclose a screened porch. The entire structure will be reroofed after the addition is completed. They will also need to install a new septic system. All documents for the septic systems were received and are in order. All Plan Commission members have reviewed the plans in advance.
- b. After comments from Matt Bowen, Ralph Box and Howard, Steve Thomas, the Building Commissioner recommended that the permit should be approved. Howard asked for a motion: Mike Lancioni moved to grant the Building Permit for the presented and approved plans, Matt Bowen seconded the motion. All approved the motion by indicating aye during a roll call vote.
- c. The Jensens asked if they could start work immediately. They were told that the plans would be signed, and Steve must sign off on their permit before work begins. They made arrangements with Steve regarding receipt of the permit. Howard Jablon thanked the Jensens for completing all the needed paperwork and application requirements expeditiously. He also thanked the Plan members for their efforts in making sure that they reviewed the documents in advance of the meeting.

**6. New Business:**

a. Modular homes.

Michael Martinez researched the topic of modular homes as applied in the neighboring communities, for example the Town of Long Beach. He discovered that the modular house must conform to all the same requirements to which a ‘stick built’ must comply. And very importantly, the modular home must make sure that it preserves the value of the homes in the community.

Ralph Box said that he had also looked into the subject of modular homes in Long Beach, and found the same information that Michael found.

Ray Dumbrys commented that from his reading of the Indiana Code, we cannot prohibit the building of modular homes, we can only control the type of siding and roofing material that is used. That we really cannot discuss doing anything else.

Mike Lancioni said that he is concerned with making sure that the value of other homes not be affected negatively. He said that the quality of the home being built should be in keeping with the neighborhood.

Matt Bowen reminded us that the Indiana Code permits these homes, and they could be beautiful.

Steve Thomas asked if we could set the parameters of these modular homes, such as is done in Homeowner Associations like Duneland Beach?

Ray noted that only that which is permitted by the Indiana Code is within the scope of any review and control we could exert: we cannot control the kind or style as Condo Associations and Homeowner Associations can.

Matt feels that the modular/manufactured home can be even better quality than the stick-built home, as it is built in a facility, then shipped in parts to the building site.

Ray said that any new home being built in Michiana Shores still has to comply with the Town Building Ordinances, including the modular homes.

Mike agreed, saying we have many ordinances that give direction on what to do in building new: do we need to add something new about siding and roofing?

Ralph suggested that we leave this alone, and make sure that the roofing and siding material being proposed on future projects is up to our neighborhood standards. Howard suggested that we leave this topic for now, and address any ordinance changes later.

- b. Michael Martinez returned to the topic of Architectural Review: can we actually enforce anything with respect to architecture?

Steve Thomas asked if it is even legal to do so: maybe the attorney could tell us more? Matt Bowen said that it's late to impose any kind of architectural review on the last few buildable lots in Town.

Howard asked if should review this further, or table this topic, as well as the modular homes, for review in the future. Architectural review and modular homes ordinance.

Matt moved that we table the discussion, Michael Martinez seconded. All voted by voice and show of hands to approve tabling the discussions.

- c. Rules and Procedures: Howard asked if we needed to have these for the Advisory Plan Commission. Ray Dumbrys commented that there are rules and procedures that have been in place since the 80's.

Howard said that we need to follow clear, regular procedures so that every petitioner that comes to the Plan Commission, and every question and project given to the Plan Commission is handled thoroughly. He also added that we should adopt some form of Roberts Rules of Order to help streamline meetings.

Howard, suggested that we table the discussion on Rules & Procedures to allow for everyone to have time to study them thoroughly on our own, then discuss as a group.

Ray made the motion to table the discussion on Rules, Ralph seconded; all approved by voice and hand vote.

- d. Checklist for Permit Applicants. Howard is in favor of having a checklist for all Building Permit applicants to use as they are preparing to make an application. A question: is it a legal document?

Matt Bowen said that it would be a "process" checklist for the landowner, homeowner, to use. It wouldn't be a checklist for the contractors to use.

Steve Thomas, the Building Commissioner, believes that such a checklist for the homeowner/landowner to use would make it easier and more streamlined; example, the Jensens. They were missing information and details that could have been provided earlier.

Howard said that checklists are good, necessary and they should be posted so that people know what is expected of them as they begin their plans. This will save time for the homeowners, as well as for the Plan Commission. He has seen that other communities have these checklists.

Steve and Ray agreed with Howard.

Howard asked Daina Dumbrys, the interim secretary to prepare such a checklist for the next meeting. He then asked for a motion to table this discussion until a draft of a checklist is prepared for review. Michael Martinez moved to table the discussion. Ray seconded. All approved by shoe of hands and voice vote.

## **7. Public Comments:**

None.

## **8. Commission Comments:**

Matt Bowen suggested that maybe the Plan Commission can consider an amendment to the STR ordinance whereby the number of STRs in our Town could be limited, to help preserve the little village nature of our community.

Ray Dumbrys said that he hears what Matt is saying, but asks will the State of Indiana allow us to limit the number of people who rent? Or the number of permits issued?

Matt replied that this might be something to discuss with the fire department and the police, as the number of people increases greatly when the renters are here, and both are involved with making sure that safety is maintained.

Mike Lancioni agrees with both, and thinks that legal guidance is needed.

Ralph Box said that part of the issues we are have are because of the legal advice we've been getting! But he agrees that clear legal advice would help.

Howard suggested adding this to the agenda for next month, but we do need advice. The STR Ordinance is very important and we should do this the right way.

Matt asked that the Plan and the BZA be invited when the final interviews are done with the potential attorneys.

Howard moved to adjourn the meeting. Michael seconded the motion. All present approved.

Howard Jablon adjourned the meeting at 8:15 PM.

Next meeting date: August 4, 2020.

Minutes submitted by:

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Daina Dumbrys, Interim Secretary

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Howard Jablon, President