

**MERRILLVILLE PLAN COMMISSION MEETING**  
**August 18, 2015**  
**6:30 PM**

President Pettit called the Meeting of the Merrillville Plan Commission of August 18, 2015, at 6:33 PM to order and then led the group in the Pledge Allegiance.

**ROLL CALL:**

Members in attendance were Mr. Bigelow here Mr. Holtz here, Mr. Hardaway here, Mrs. Palmateer here, Mr. Pettit hear, and myself Mr. Dering here. Mr. Widening is absent. Staff present was Dorinda Gregor, Attorney Touchette and Bob Csanyi, Robinson Engineering.

**MINUTES: June 16, 2015 and July 21, 2015.** Mr. Hardaway so moved, Mr. Holtz seconded the motion

President Pettit asked if the motion is for both or do you want to take them one at a time Bill. The first and second stands. Any discussion. Seeing none all in favor signify by saying aye.  
Motion carries

Mr. Touchette replied no

**COMMUNICATIONS:** None

**OLD BUSINESS**

None

**NEWS BUSINESS**

**P12pS-0815 DEVELOPMENT VISION GROUP, INC (DVG, INC)**  
**PETITIONER, INDIANA/KENTUCKY/OHIO**  
**REGIONAL, COUNCIL OF CARPENTERS OWNER**

Located approximately 7000-7098 Mississippi Street (0.5 Miles north of 73<sup>rd</sup> Avenue and Mississippi Street on west side of Mississippi Street) for a Preliminary subdivision approval of four (4) lots and one (1) Outlot "A" in a C-5, Office-Research zoning district on 18.52 acres to be known as IKORCC Subdivision for an administration office, training (educational) facility and possible future retail/restaurant development.

President Pettit said Good Evening Ryan

Mr. Marovich replied Good Evening yes we are proposing a training and administration facility for Indiana/Kentucky/Ohio Regional Council of Carpenters. This property lies between I-65 and Mississippi Street about a half mile north of 73<sup>rd</sup> Avenue. It is currently farm land zoned C-5. The existing 18.50 acres site we are looking to subdivide that into 5 lots four lots and an a Outlot . That Outlot includes a detention facility which we are counting on being a wet pond. There is also a cul-da-sac planned the frontage lots could possibly be developed later although there are no immediate plans are available but as you set there can be a number of things including retail. The Union will have control over the architecture of these frontage lots if they are further subdivided that way they complement with their facility. There is a similar facility on I 65 in Greenwood Indiana just south of Indianapolis. The site is serviced by all utilities the land generally flows from south to the northwest corner of the property. Drainage has been designed to meet the ordinance of .2cfs per acres and we currently have an attorney working on the covenants that would define some of those control over the frontage lots so with that I will open to questions.

President Pettit said why don't we have Dorinda read the staff report. Mrs. Gregor read the staff report then we will go back to the commission for questions.

President Pettit said thank you Dorinda. Ladies and gentlemen are there any questions for Ryan on this. We went through this at the workshop I don't know.

Mr. Bigelow said Mr. Chairman I have one comment of the amount of traffic we get on Mississippi Street can we restrict it to just the one cut for the cul-da-sac and not lots 1 and 2 directly into Mississippi Street.

President Pettit said I thing that is the intent I talked about that Bob. That was my first concern when I first met with these gentlemen I did not want multiple cuts on Mississippi and excel decel I think that we obviously we don't need it on a four lane road

Mr. Marovich said right 69<sup>th</sup> Street or Avenue to the north does not have I don't think that there are any excel or decel lanes along Mississippi there and with the cul-da-sac the lots 1 and 2 would enter and exit on to the cul-da-sac currently. Now if that were to be subdivided in the future those adjacent lots to the cul-da-sacs would still enter and exit from the cul-da-sac however

President Pettit said I do want to share with the Plan Commission Ryan the Towns vision a long time ago when they put in phase 2 of Mississippi was the stop light would be installed at 69<sup>th</sup> and Mississippi and depending on what we have happen still in limbo with the Aunt Millie's property. My understanding is that they have acquire south of 69<sup>th</sup> if that comes to fruition as the ward councilman that a traffic study be done and we would put a signal at 69<sup>th</sup> and Mississippi which would help break up the traffic going in there as well. Something to consider long term.

Mr. Dering said something we might want to look at down the road too nothing right this second but if it becomes a problem possible a right out because if you have people turning left especially if they start getting a restaurant in there turning across 4 lanes of traffic might get a little dicey Even with a light up north.

President Pettit said I would ask Dorinda in a C-5 Office and Research restaurant are not permitted are they.

Mrs. Gregor said they are not.

President Pettit said that would be a Use Variance or Special Exception.

Mrs. Gregor said that is why at the BZA level they are

President Pettit said that is why they are asking for this approval so it is going to be scrutinize that the Carpenters Union might be generators. I don't know I drive it every day guys until we closed it taking my daughter to school at 73<sup>rd</sup> and Mississippi and the electricians don't generate a lot of traffic out of their place so I would not imagine this will not until they do the Outlot developments so

Mrs. Gregor said can I ask as Ryan had mentioned if lots 1 and 2 if they were to be subdivided the two most outer portions we would permit them to have a street cut off of Mississippi Street because they wouldn't be able to access from that cul-da-sac so that is what they are looking at.

President Pettit said I don't want to commit to that Ryan if you could appreciate that and take that back to the carpenters if you want to subdivide this we discussed this at our initial meeting we would have to develop some north south and take the cul-da-sac and develop some kind of north south that is going to run into 69<sup>th</sup> Avenue really I mean I agree 100% with Bob I don't want any more cuts

Mrs. Gregor said like a frontage road system.

President Pettit said well you could either do a frontage road or you could do it back along those lot lines

Mr. Bigelow said you could do it along the lot line where the bubble is

President Pettit said you could do 30 feet on each side if they can meet the 60 foot ride of way requirement Dorinda and just do a two lane. You know you are going to be 26 to 26 feet of pavement for a local road. We will cross that bridge when we come to it. My focus is the investment that the Carpenters are willing to make in the Town of Merrillville that is the most important thing.

Mr. Marovich said maybe lots 1 and 2 don't get subdivided maybe they do maybe that is a future consideration.

President Pettit asked if there are any other questions for Ryan. Bob do you have any comments.

Mr. Csanyi said yes I just wanted to add in right now we are looking at the actual plat with the large novel in the legal description. I had requested today from Glen Borom from Plump Tuckett to get the alter survey because our surveyor was looking at it because he had a few questions and so we are just in the process of verifying a few things we may add a couple of comments as far as so that the outlot maybe an easement or some verbiage in there some in case in the future there is a default of some sort so there is access for maintenance and so forth. That will be forth coming.

President Pettit said if there are no other questions this is an advertised public hearing for preliminary subdivision approval is there anyone that would like to speak in favor or against this petition. There you go George I was waiting for you to stand up.

Mr. Rogge 1500 East 73rd said I just wanted to say that I am happy to have another good neighbor.

President Pettit said if you ever get a chance you need to go through George's house it is incredibility. Any other questions.

Mr. Dering said you did say that the little forest or the pretty good size forest that is over there. All those old oak are not on your property.

Mr. Marovich said it is on the south side of the property

Mr. Dering said the way I am I would like to see anything that can be preserved over there preserved.

President Pettit said I thought that our retention pond for Mississippi Street drainage was the southern boundary of your property. The grove of trees that Brian is talking about is still on the electrician's property.

Mr. Dering said it is still all the electrician. I wasn't sure where the dividing line was.

Mr. Marovich said that most of it in question is farmland.

President Pettit said there is a natural area and our retention pond.

Mr. Bigelow said I found a pin at this location.

President Pettit asked if there are any other question for Ryan

Mr. Holtz said you said about putting in the other street are you still looking at 5 lots.

President Pettit said yes 4 lots and a retention.

Mr. Holtz said he puts in the cul da sac and then decides he want to subdivide the other two lots it is just as easy to make it another street there.

President Pettit said he just straddles puts 30 feet on lot 2 and puts 30 feet on lot 4 puts 30 feet on lot3 30 feet on lot 1 will give you a 60 foot right of way they only issue that we might have Bob is there configuration of the outlot of the pond because you would need 30 feet south of lot 1 and you would have a 60 foot right of way which I think local is required by subdivision.

Mr. Dering said you are doing you calculation of this pond maybe you should keep that in mind that at a future date we may need 30 feet out of that lot.

President Pettit said I am guessing if they get an investment and they get somebody that wants to subdivide the lot the modification can be made to the pond right Bob. We have done that out of Century Plaza. They reconfigured ponds out at Century Plaza so it can be done if they have to go deeper or for capacity they can do that I suppose.

Mrs. Gregor said directly to the north of this there is some additional property that is being farmed but there is an area that abuts to 69<sup>th</sup> Avenue.

President Pettit said NIPSCO owns 1.5 acres right on the corner of 69<sup>th</sup> and Mississippi Street.

Mrs. Gregor said so if they were to put a street there would they be able to get it to 69<sup>th</sup>.

President Pettit said we would have to take a look at that and see. That configuration and again that would go in conjunction with whatever comes back from the folks at Aunt Millie's. If they move or whatever we haven't heard from them in some time unfortunately. I asked for remonstrators are there any other questions or concerns for Ryan.

Mr. Hardaway made a motion to approve

Mr. Dering second the motion

President Pettit said we have a motion by Mr., Hardaway and seconded by Mr. Dering to approve P12pS-0815. Is there any further discussion.

Mrs. Gregor said pending the drainage.

President Pettit said pending the drainage with the Town Engineer.  
Drainage approval

Mr. Holtz said just one other question does outlot A have to have than little strip.

Mr. Marovich said that was for public access to the outlot for maintenance reasons.

Mr. Holtz said never mind.

President Pettit secretary roll call

Ms. Palmateer yes, Mr. Hardaway yes, Mr. Bigelow yes, Mr. Holtz yes, Myself (Mr. Dering) yes and Chairman Pettit yes. Mr. Widing absent

Motion carries 6-0

**P13fS-0815 DEVELOPMENT VISION GROUP, INC. (DVG, INC)**  
**OF CARPENTERS, OWNER,** located approximately 7000-7098 Mississippi Street (0.5Miles north of 73<sup>rd</sup> Avenue and Mississippi Street) for a Final Subdivision approval of four (4) lots and one (1) Outlot “A” in a C-5, Office Research zoning district on 18.52 acres to be known as IKORCC Subdivision for an administration office, training (educational) facility and possible for future retail/restaurant development.

Ladies and Gentlemen as President I have a situation that I asked Mr. Touchette about. This portion was an advertised public hearing they met the requirements of that. Given our schedule and Bill said it was ok to do so at this time Chair will entertain a motion to grant final subdivision approval for this pending Town Engineer and Town Attorney approval that Brian and I can sign the plat that way we won't have a September Plan Commission meeting at all. We have no other petitions besides this one. Gets us out without a meeting in September and moves Ryan and the Carpenter's along so if you guys will consider that.

Mr. Hardaway said so moved.

Mr. Holtz seconded the motion.

President Pettit said we have a motion by Mr. Hardaway and seconded by Mr. Holtz to approve this P12pS-0815 final subdivision approval pending Town Attorney and Town Engineer approvals for the Mylars to be signed by the President and Secretary. Is that correct Mr. Touchette is that acceptable. Ok is there any discussion seeing none Mr. Secretary roll call.

Ms. Palmateer yes, Mr. Hardaway yes, Mr. Bigelow yes, Mr. Holtz yes, Myself (Mr. Dering) yes and President Pettit yes. Mr. Widing absent

Motion carries Ryan you have final subdivision approval

Mrs. Gregor said can I do one correction on that final subdivision approval will be P13fS-0815. Because he has filed all of his paper work.

President Pettit said Mr. Hardaway does your motion still stand.

Mr. Hardaway stated yes.

President Pettit said Mr. Holtz.

Mr. Holtz said yes.

President Pettit said congratulation Ryan. With that being said there is no other business and there is one item that Dorinda informed via E-mail and we kind of decided that we would bring it to you folks so you can see and again keep you in the loop know what is going go

## **OTHER BUSINESS**

### **FYI ONLY-NO REVIEW NEEDED/PERMITTED USE IN A PUD**

1. Proposed McAlaster's Deli to be located on Tract 9 in the Century Plaza Development located at 8227 Broadway.

President Pettit asked if this is north of the pond or south of the pond Dorinda. North of the pond ok and apparently we have a Resume in our packets very nice.

Mrs. Gregor said I think that we have a representative here.

President Pettit said come up to the microphone guys.

Good evening my name is John Malesh

President Pettit said hi John this is Councilman Hardaway he represents the north end of Merrillville in Ward 2, Ric Holtz, Bob Bigelow, Brian Dering. I am actually your Councilman in Ward 6 on that side of Broadway. Our Attorney is Bill Touchette, Pam Palmateer and you have met Dorinda I am sure and the guy in the glasses you have to keep the water running away from him. He is our Town Engineer Bob Csanyi. I guess Dorinda and Bob everything looks good. Is there any concerns

Mrs. Gregory said during site plan approval Bob will review the drainage to make sure that everything is correct. There were some concerns about some of the parking however they have a cross-over agreement with Tri-Land Development to park on the outside of this site in their parking lot or development.

President Pettit said I guess two questions for you number 1 starting date/completion date and investment dollars



Mr. Malesh said we plan to start as soon as we get approval and buy the property which is mid to late September and then hopefully for an opening date for March get under roof.

President Pettit asked what kind of investment are we talking about.

Mr. Malesh said we are getting into a freestanding building so the total range could be anywhere 2.1 to 2.4.

President Pettit asked is there any question for John guys. Again it is information only Dorinda and I wanted to keep you guys in the loop.

Mrs. Palmateer asked are you going to be using union labor to build your facility.

President Pettit said oh yes John good point Pam. For everyone's benefit this is in the Broadway TIF District so it is a part of requirements you will need to with your contractors do a project labor agreement.

Mr. Malesh replied ok.

President Pettit said you will meet with Randy Palmateer is the Executive Director of the building trades Council. Dorinda can get you his number and you might want to sit with our Town Manager Bruce Spires and Randy and go through everything contractors and all that stuff.

Mr. Malesh said we have contractors that have done work in the area and in the Town of Merrillville already.

President Pettit said Thank you Pam. Good point I forgot this was Broadway TIF.

Mr. Touchette asked will you have external dining.

Mrs. Gregor replied yes.

Mr. Malesh said a small patio.

President Pettit asked is there any other questions for John. Welcome to the Town.

Mr. Malesh said thank you.

President Pettit asked does anyone else have anything under other business.

Mr. Dering said a small item just for information only maybe our Attorney can help us with verbiage. In the last couple of weeks my gas servicemen out of Gary which we are a part of tell me that we have had a couple of line hits from people putting in fences. They had permits to put fences in but they didn't call Indiana 811 for locates. When you don't call for locates it you get into a gas main that poor homeowner unknowingly could incur 10's of thousands of dollars in damage fees. I would like to see somehow either on our forms or possibly a note with everybody that is going to put a shovel in the ground because this is a state wide initiative call before you dig. Call Indiana 811 it is free it is 2 days' notice and you got 30 days to put that shovel in the ground and if they miss locate it is on their nickel.

Mrs. Gregor said can I say something too on that. I go to different municipalities and everybody has a brochure from NISOURCE call 811 except the Town of Merrillville and I have discussed this issue with NIPSCO and NISOURCE about providing us with sufficient information so we could provide that to our residence if they have any questions they can call them directly. I have talked to an engineer from NISOURCE and he said he will be checking into that so that we have information on our counter to pass out.

Mr. Dering said as soon as I get back to the office. I am on sift tonight I will send a note to the head of damage prevention. We will just by pass all secondary levels. I will go ahead and get with damage prevention and then what we can do whoever comes in and is going to put a shovel in the ground it is your responsibility. Because the first response our service men or our street crew guys digging gets is that the town didn't tell me I needed locates and I don't know if we can ever get into a litigation thing. Because again it could be 10,s of thousands of dollars. You get into a main where you blow gas for 4 or 5 hours it gets pretty expensive.

President Pettit said unfortunately guys one of the problems with 73<sup>rd</sup> Avenue especially in the old part of Madison to Broadway were the gas connection in that corner by the Carriage House now we are going down Madison and we are running into the same problems in the major according to 1<sup>st</sup> Group one of the major conflicts has been the gas service down by your house.

Mr. Dering said we have had them in our yard for 3 days or so.

Mrs. Gregor said on our NIPSCO bills it says if you are going to dig call 811.

Mr. Dering said a lot of guys don't read the information.

Meeting adjourned at 6:58

Respectfully submitted by  
Janet Rosko