

**MERRILLVILLE PLAN COMMISSION MINUTES  
TUESDAY, JANUARY 17, 2023  
6:30 PM**

Plan Commission President Marge Uzelac led the Meeting of the Merrillville Plan Commission at 6:30 PM to order and then led the group in the Pledge of Allegiance.

**ROLL CALL:**

Members in attendance were Mr. Kristopher Mellon, Mr. Luke Rich, Mr. Ric Holtz, Councilman Shawn Pettit, Councilman Jeff Minchuk, Plan Commission Vice President Brian Dering, and Plan Commission President Marge Uzelac.

**MINUTES: DECEMBER 20, 2022**

Mr. Luke Rich made a motion to approve the minutes. The motion was seconded by Plan Commission Vice President Brian Dering.

The Plan Commission voted 7 – 0 to approve the minutes.

**COMMUNICATIONS:**

NONE

**COMMENTS FROM CHAIRMAN**

NONE

**OLD BUSINESS**

**1. P11Cp1-0922 EPMSS, LLC PETITIONER AND OWNER**

Located at 3950 W 73<sup>rd</sup> Avenue  
Request: Conceptual Planned Unit Development Approval on 4.78 Acres in a C-2, Community Commercial Zoning District  
Purpose: Storage

The petitioner stated that the civil plans were approved. He stated that the fire hydrants on 73<sup>rd</sup> Avenue would be accessible. He stated that the petitioner calculated the improvements to be made for the Performance Bond of \$250,000.00 for a new driveway, landscape beds, gate and a fence.

Mr. Ric Holtz inquired if the Fire Department has any comments of the fire hose going across 73<sup>rd</sup> Avenue.

Sheila Shine explained that the fire department will review the plans at the preliminary level.

The petitioner expressed that he will comply with the fire department to add another fire hydrant if needed.

Plan Commission Vice President Brian Dering expressed that the upon final approval for this petition that the petitioner would provide a Performance Bond at an agreed upon amount which would be for the infrastructure, demo of 4 houses, the landscaping, roads, fire protection, and possibly the turn around. If the petitioner does not pull a building permit in the two years, then the approval goes away, and the Performance Bond goes away. If the petitioner does pull a building permit in the two years, then the petitioner has two years to get the infrastructure done and the demolitions done, otherwise the Town will pull the Bond and the Town will use it to pay for the agreed upon items.

The petitioner stated that the \$250,000.00 is not an adequate amount for all of the items that would need to be completed.

Plan Commission Vice President Brian Dering stated that if the Fire Department or the Fire Protection Committee wants the petitioner to include a turn around and/or a fire hydrant then petitioner should install it.

The petitioner agreed.

Plan Commission Vice President Brian Dering inquired about keeping out people from climbing over a six feet fence. He also stated that he would like for the petitioner to ask the surrounding property owners in the Prairie Creek Home Owners Association for their thoughts of the petitioner having an eight feet tall fence for security.

Councilman Shawn Pettit inquired if everything on parcel number two on the back side has been built.

The petitioner stated that nothing has been built on the back portion of parcel two. The petitioner has pulled building permits and weather permitting the petitioner is proposing to build the two buildings. He stated that since this proposed storage facility will be an unmanned system, it will have a gate system which uses a PTI system. The Fire Department will have their own access code for entry, The petitioner is willing to listen to and install a system if the fire department has a different preference for security and access plans. The petitioner stated that there are 50 units on the other side of the building.

Sheila Shine read the Staff Report.

There was a discussion that the road and access on the proposed site can be a public safety and welfare issue.

Plan Commission Vice President Brian Dering stated that there needs to be a concrete figure for the Performance Bond that is agreed upon between the staff, the engineering team, and the petitioner.

Sheila Sine stated that it is difficult to determine an amount for the Performance Bond without input from the engineering team of Robinson and Torrenga.

Councilman Shawn Pettit expressed that the members keep in mind that this is conceptual PUD, the use of this property and the layout of the property.

Attorney Joseph Svetanoff stated that the Plan Commission doesn't have to put any conditions on the motions at this time.

Plan Commission Vice President Brian Dering made a motion to approve this petition and wanted to be sure that the petitioner acknowledges that cost of the Performance Bond will have to cover everything that was discussed and that the topic of the Performance Bond may come up in the future.

Mr. Ric Holt seconded the motion.

The Plan Commission voted 5 – 2 to approve this petition.

### **NEW BUSINESS**

None

### **OTHER BUSINESS**

Councilman Shawn Pettit explained to the Plan Commission members that Jason Simon of the Misner Group is requesting a proposed Penske Truck Leasing on 5 acres on the Broadway frontage south of the Ace Hardware location.

There was a discussion about a moratorium on storage.

### **ADJOURNMENT**

Councilman Shawn Pettit made a motion to adjourn the meeting. Plan Commission Vice President Brian Dering seconded the motion. The Plan Commission voted 7 – 0 to adjourn the meeting. The meeting was adjourned.

Respectfully Submitted,

Marie Wilson,  
Recording Secretary

**OTHER BUSINESS**  
NONE  
**ADJOURNMENT**

