

**Burns Harbor Advisory Plan Commission**  
**Minutes of Monday, April 1, 2019**

The Advisory Plan Commission of the Town of Burns Harbor, Porter County, Indiana met in a regular session on Monday April 1, 2019 in the Town Hall. The meeting was called to order by Advisory Plan Commission Member, Toni Biancardi at 7:00 pm.

The Pledge of Allegiance to the American Flag was recited.

Roll Call:

Eric Hull.....	Absent
Bernie Poparad.....	Absent
Toni Biancardi .....	Present
Roseann Bozak .....	Present
Gordon McCormick.....	Present
Jeremy McHargue .....	Present
Krista Tracy .....	Present

Additional Officials Present

Building Commissioner-Rob Wesley  
Attorney-Christine McWilliams  
Global Engineer-Shem Khalil  
Great Lakes Engineering-Jason Deckard  
Secretary-Marge Falbo

Also Present

Sam Falbo  
Sarah Oudman

Biancardi says Hull and Poparad both are gone tonight. Attorney McWilliams requests we make a motion for me to run the meeting tonight.

Tracy makes a motion for Biancardi to run the April 1 meeting in President Hull's absence. Bozak seconded the motion. **Motion carried by unanimous vote.**

Minutes

Bozak makes a motion to approve the minutes of March 4, 2019 as written. McCormick seconded the motion. **Motion carried by unanimous vote.**

**Communication, Bills, Expenditures**

None

### Report of Officers, Committee, Staff

Building Commissioner Wesley says to summarize the month, I performed 16 inspections, 0 re-inspections and issued 11 permits.

### Preliminary Hearing

None

### Public Hearing Continuation

Patrick Kleihege

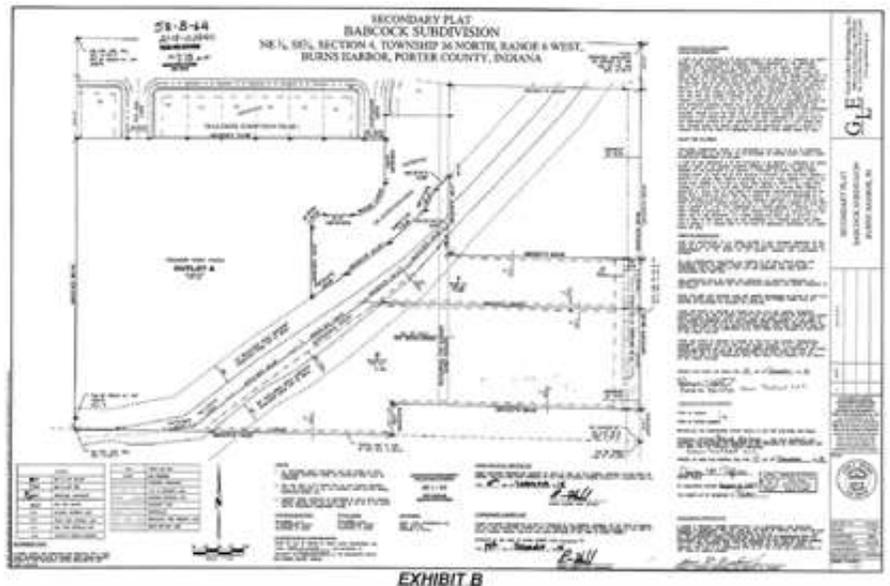
Trail Creek Phase II PUD

Biancardi says I will reopen the Public Hearing from last month. We do have in front of us some communication and documents that Falbo and Attorney McWilliams have provided to us. Following last month's meeting Attorney McWilliams reached out to Attorney Parkinson and shared a bullet list with him of what needed to be taken care of:

- The proposed ordinance has been revised and submitted.
- Attorney McWilliams made a comment to make sure we understand that there are no planned sidewalks for the PUD
- A signature is missing from Kleihege on one of the documents and the word "Secondary Plat" needed to be inserted to show ownership on Appendix G. These two things need to be added before approving it.
- The hydrant issue has been resolved.
- The private road agreement has been revised and is consistent with Attorney McWilliams recommendations.

Biancardi asks Attorney McWilliams to comment on the Declaration of Covenants and Restrictions in the Written Private Road Commitment which is Exhibit C and comments about Exhibit B, shown here.

Attorney McWilliams says I went through all of the documents that Kleihege submitted over the past several months to collect what I believe were intended exhibits. It is unclear to me in the Written Private Road Commitment what the intended Exhibit A would be. I wasn't sure if on the Concept Plan, the specifications for the road is clear.



The private road needs to be a separate document that really itemizes what those specifications for the road are going to be.

Khalil says the road has to be constructed per the Town's standards, so either way, even if it's not the same as the public right-of-way, the road itself has to be constructed per the Town's standards and its engineered as such. Isn't that correct Deckard? Deckard of Great Lakes Engineering says, yes, but we are talking about a private driveway. I am not sure if you have standards for private driveways. Khalil says the private driveway is shared actually, so it's a private roadway. So the cross section for the roadway itself has to be...Kleihege says I believe that's on the prints too, 10, 2 and 1. Khalil says, correct, presuming that the subsoil will handle that. If it's not, treatment for the subsoil will be required. Kleihege says I think the only difference is there is a 16-foot with a two-foot side. Khalil says the width is not an issue, it's the cross section. It has to meet the Fire Department's standard. Attorney McWilliams says I would then ask you in that regard that it is delineated on the Concept Plan. It should be. Attorney McWilliams says the Primary Plat is Exhibit A. I had pulled Exhibit B to be the Concept Plan, it could also, I believe be the Primary Plat. Biancardi says the Primary Plat can then be Exhibits A and B. Attorney McWilliams say yes. Assuming that is Kleihege's intention. Khalil says to Kleihege, just to make sure that you understand what we are talking about. The compacted aggregate is basically the issue, so if it's not a compacted aggregate, you will have to make it as a compacted aggregate (sub-base layer of an asphalt roadway). Kleihege says ok.

Biancardi says is there a question on the Covenants and Restrictions. Attorney McWilliams says I noted that they are not signed and notarized yet, but that could be waiting on approval. Also, I had made a recommendation that there be language included in the Covenants that ties Lot A with Lot 20. That is accomplished in the proposed Ordinance under section 14F, I believe. So it is accomplished in the Ordinance assuming it were to be approved. I just recommended putting potential homeowners on notice that everything is all part of it. I did not receive a revised copy of the Covenants.

Biancardi says the last thing that came up just before the meeting, in talking with Khalil, is what the use, maintenance and enforcement of the open space would be. Kleihege says the maintenance is in there and I believe the use is under your restriction you can't build on open space. Khalil says my point is not the restriction, it's the use. So specifically outlining that and the second thing is the maintenance. Then the enforcement side, if it has not been maintained, who is going to enforce it? It should be the POA and the Town, both. Biancardi says based on the comments that all of you have made, here are the items:

1. signing the document
2. adding the word "secondary plat"
3. when ready, sign and notarize the covenants and then possibly include tying Lot A to Lot 20 in those covenants in addition to the PUD
4. designating open space use, maintenance and enforcement

would be the loose ends today. Attorney McWilliams says correct. It would be my suggestion, that anything extra added to the covenants is just more notice for potential homeowners but in light of

the discussion with Khalil, it would be a very good idea that anything relating to the use, maintenance and enforcement of open space be included in the proposed Ordinance. Kleihege says to Attorney McWilliams, I'll have Parkinson get a hold of you to work out everything.

Biancardi says given those comments, does the Board have anything else.

McCormick says this open space. It's a combination of the Town and POA that has to maintain that piece of property. Khalil says the maintenance, that's correct. McCormick says it's already on a County drainage, 50-foot regulated easement. Khalil says that's correct. The drainage easement actually will prevail and anything impacting that drainage easement or outside of that drainage easement has to be maintained by the POA. McCormick says just so it's not the Town of Burns Harbor, that's my concern. Khalil says the enforcement will be the Town of Burns Harbor. McCormick says what I'm concerned about is the enforcement because if it's not maintained or something happened to it, who is going to enforce it? Kleihege says I anticipate it is just going to stay the way it is. Khalil says the County has a right to declare that it's not a regulated drain anymore. So that prevails too.

McCormick says my only other question was the sidewalks. I see you have it looped around across the existing roads. Is that what you're going to do? Kleihege says correct. McCormick says that's fine. That was my only concern.

McHargue says just for clarification, this covenant, the Town isn't liable for any verbiage in it, right? Attorney McWilliams says correct.

Biancardi says to Deckard, do you want to speak to any of the comments that we've discussed and tell us where you are or what you think? Deckard says I think we've covered it all here. My main thing is to make sure we understood what the sidewalks were going to do by continuing the sidewalks in Phase I; and, the fire hydrant being placed in the right-of-way on Gustafson Lane as per the Town Fire Chief. It's going to the corner in the right-of-way. Kleihege says if that other lot is developed...to stay within the 500-foot...McCormick says so it won't be there unless they sell Lot 4? Kleihege says right now we have someone looking at both Lots 3 and 4. McHargue says if somebody buys Lots 3 and 4, and build their home on Lot 3 and later sell Lot 4, who is going to be responsible for it. Khalil says my understanding if Lot 3 sells Lot 4, Lot 3 is responsible for it. McHargue says as long as it doesn't slip through the cracks, that's my only problem. Khalil says it's in the plat as well. So to answer your question, if it's not done, then the plat is void, so you can't sell it.

Biancardi says we did have public comment last month and I see we have some people in the audience, so I am going to open the public comment.

Biancardi asks if there are public comments in favor. There is no public comment in favor.

Biancardi asks if there are public comments in opposition.

Joseph Clark  
226 Golden Drive

Couple of concerns that I have, again, is the fact that I have a corner lot and right now it's not a corner. The continuation of sidewalks is going to be in my front yard. I'd like to request that the street, curbing and sidewalks go back to the back of my property line as they were designed in the original Phase I plans with anticipation of Phase II. I know this Phase II is looking different but I still think it would be nice to have that street go back to the property line. That way I won't have their mailboxes and garbage cans in my front yard. Another issue and maybe this isn't the place to bring it up but right now we don't have a stop sign on the corner of Pin Oak and Golden Drive. With all the new traffic we have coming through there, I think a stop sign is definitely a necessity.

Chris Foster  
225 Golden Drive

My concerns are pretty much the same as Clark had. I would just like to see the road terminate at the property line with the sidewalks. Otherwise, it would be up in the air about what kind of driveway is going to come up through the middle of our properties. Unless there is some type of architectural control on what that was going to end up being, then that does cut into the middle of our yards. That's my only concern with the extension.

Biancardi asks if there are any other public comments in opposition. There is no other public comment in opposition.

Biancardi says I will close the public comment section and asks Kleihege if he wants to speak to either of the public's concerns about the road/sidewalks. Kleihege says I'm afraid if we extend it, it will look more like a road. Once again we tried to keep it a driveway where we thought it was the best place to put it so there is bubble in that big intersection. It connects from the sidewalks and I think it makes it a walkable area. We would consider some kind of landscaping like in Phase I with trees every 30 feet. I think we are going from a 16-foot to 24ft. I think it's really reducing the aesthetics. When we first brought the proposal we couldn't put a bubble or a cul-de-sac at the end of the road. McCormick says I understand what their concern is. People are going to assume the road stops at the sidewalk, and they will be dragging their garbage cans up to the middle of the yard basically. That's where they'll sit unfortunately. Kleihege says they will be at the side of their yards. McCormick says on Pin Oak is going almost clear up to Golden Drive where the sidewalk is cutting across. Kleihege says that's where everyone else's will come. McCormick says ok. Kleihege says and on Gustafson it will be half way back of Lot 24 at the end of Lot 37. McCormick says so right now does the sidewalk curve around Lot 18 or 19? Kleihege says, no. And for the mailbox issue, they are double mailboxes, so you will have two posts with one mailbox on each. Clark says still we paid a premium for corner lots and we're eliminating the corner lot. Kleihege says we'll do some plantings just like we did in Phase I along the road. Clark says if I'm not mistaken they'll have to bring their cans all the way up there because it's a private drive, the garbage truck is not going to go through there as well as the mail truck. I would prefer that it end at the property line. Kleihege says I know mail won't go back there, I don't know about the garbage.

Biancardi asks the Board what their thoughts are.

McHargue says to Clark where is the existing curve at the end of your property? Does it go to the end of your property or does it stop? Clark says it stops where the pavement stops, maybe 15 feet. McHargue says so your property extends about 15 feet past the current end of the roadway? Clark says yes.

Biancardi says given the items that they need to comply with and the concern that was raised tonight, what is the pleasure of the Board?

McCormick says I would like to see the sidewalks go up to the property line. All the way south. Kleihege says it's a sidewalk for two homes. McCormick says are they going to put curbs and gutters in on the remainder of that road to the property line of Lot 19 through 24? Right now the curb is going to extend all the way to the south of that line. Kleihege says we're going to take the curb up to... McCormick says so you are going to taper the road. Kleihege says we are going to narrow it as it comes past the sidewalk or probably as it comes off the curve, so it looks more like a driveway and we don't have people driving down there. McCormick says the problem is it's still our road to maintain to their property line. So there have to be curbs on it right? Khalil says not necessarily, a lot of roadways actually don't have curb and gutter if it doesn't have the catch basins or pipe drainage.

McHargue says doesn't Town Code in a subdivision require curbing though? It looks to me like what we're talking about is not so much this Phase II but now we're changing Phase I. The road that's currently there, if we're changing anything to the back of those, we are changing Phase I not Phase II which is causing problems for the current homeowners. This is how I'm seeing it. If we are changing Phase I, I think they have a very valid point. Kleihege says we are not going to change anything in Phase I. McHargue says Phase I, Pin Oak Lane does it or does it not in Phase I go to the south end of the property of those lots? Kleihege says it does not. McHargue says so it's not part of Phase I? That street just stops there? Kleihege says it stops right there, correct. McHargue says where does it begin and where does it end? Khalil says so what I'm hearing is it will change some of the infrastructure in Phase I. Phase I was designed for Phase II as well. The intent of the infrastructure of Phase I was to be continued to Phase II. This is not Phase II. Phase II changed to whatever you have in front of you. The connection to that infrastructure will change. So, yes, it is changing Phase I. McHargue says that's a separate issue all together and that's where we're having a problem. Khalil says that connection to Phase II is changing in Phase I. McHargue says based on the fact it looks like we're changing Phase I and I have a big problem approving it without the consent of the current property owners in that area. They made a large purchase to buying their home and now we are just going to change it. We are trying to work something out with this property for Phase II but at what cost? This road is not even going to extend to the end of their property line. It's going to taper off into some driveway in between the homes, which if they are not content with it, it's hard to sit up here and say I don't care. Kleihege says aren't we changing this from a roadway to a driveway from 24 homes to 4 homes. McHargue says you can sell it anyway you want but if you were the current owner and you're not happy about it, that's where we're at. Yes, there are benefits but there are repercussions too. That's all I'm bringing up. If the curbing in the current road ended at the south edge of their property that would be the completion of Phase I is the way I'm seeing it and eliminates a lot of the confusion for the current homeowners. Kleihege says I don't think they're going to deliver mail at the end. I think there are going to be more people driving down there and no turnaround until you hit a house to turnaround in there.

Khalil says one suggestion if I may, it's completely up to the homeowner, they can request to vacate Pin Oak and maintain an easement for a private driveway. My point is the infrastructure has to meet the new plan in a functioning way. If the homeowners are upset that they're not getting what they signed up for, which is the roadway, it is up to the homeowner to request the vacation and it's up to you to vacate the roadway or not. McCormick says I would not be happy with vacating Gustafson Lane, mainly because of the recreational path easement. The only easy way to get to that easement is to go through this subdivision at the south end of Gustafson along the pond. Khalil says keep in mind the vacation is not in front of this body, it is a Council function and I'm talking about Pin Oak as well.

Biancardi asks McHargue if he has any suggestions. McHargue says my current suggestion is that they continue the curbs and the current roadway in Phase I to the south edge of those lots and then do the taper to go into the single drive in what would be Phase II. I think that alleviates any current homeowners' issue and it still gets you to do your four lots. McCormick says and move the sidewalk to the south edge also. McHargue says you are worrying about these four lots that will be three homes. How many homes do we have in Phase I? We are doing all this to appease three potential or four potential homes but we are affecting current homeowners. Kleihege says we are more than willing to do some landscaping for improvements along there. McHargue says will that appease the current homeowners is my question and that's where we're at. If they don't care, then I'm fine with it. If they care and if they don't want it that way, then I'm going to have to side with the current homeowners. They have a big investment there and they are there for possibly forever. If they are not happy with their purchase now, that's a problem. When they bought it, it was a corner lot, assuming they had this nice corner lot that's not a corner lot anymore. Kleihege says it basically is because it's a driveway. McHargue says can I park on the east side of my home if I were him? If I was on the southwest corner, could I park in the curbing there? I can't now because you're going to taper it off into a driveway.

Biancardi asks what the Board's pleasure is. Biancardi says to Kleihege are we willing to work with the homeowners and come up with a solution? Kleihege says I asked if they would like some kind of landscaping guarantee. We could put a landscaping plan together. There is a landscaping plan in Phase I. We could sod it so it would look the same. It would just be a 16-foot and taper down. Biancardi says is that a satisfactory solution. Clark says I am still sticking with my original request. I would like to see the road end at the property line. The curbing and sidewalk as it was originally planned out for Phase I. McCormick says if we stop Pin Oak at the sidewalk, when they are plowing snow do we pile the snow in lot 18 and 19? Kleihege says I talked to the highway and they didn't have a problem with it. McCormick says they are going to push the snow all the way south into Lot 1 and Lot 2 and not in Lot 18 and Lot 19 over the driveway. Kleihege says and there is no place for them to turn around. McCormick says I'm not happy with this dead end road because we have them are all over Town. Kleihege says when we first started this process, this is what we tried to eliminate. McCormick says every time we come in here we have a different set of plans. Kleihege says we are addressing what the concerns are and updating the plans. McHargue says yes and they did have concerns last meeting but obviously there are homeowners here voicing their concerns and bringing about their unhappiness with it. I don't think it's a horrible plan, but I also don't have an investment in those lots. They do. McCormick says and now we are cutting one road almost completely out of there between Lot 18 and 19 and the other one is only going half way to the property line...curbs and put a sidewalk at the end and have the proper sidewalks on the corners that are ADA acceptable.

Biancardi says we have four choices:

1. We can continue the Public Hearing. Work with the homeowners and address our list of requested changes.

Or if the Board chooses to move on it, you can send to the to the Town Council for the PUD:

2. A vote of No Recommendation
3. A vote of Favorable Recommendation; or
4. A vote of Unfavorable Recommendation

McHargue says I think as we sit here right now, we need to know if the homeowners and developer can come up with a solution that is going to appease both parties. If not, then it puts us where we are going to go. Kleihege says I'm willing to work with the homeowners. McHargue says I have one homeowner that's seems to be very set that he wants the curbs to go to the south side of his property and then he wants it to connect and turn at that point and the sidewalks to connect. You don't seem like you want to do that. Kleihege says I don't think it's going to...I think in five years it's going to be a mistake because they are going to have cars driving down there. But let me ask a question. Because of the way the lots lay out, I think the other lots in the middle, I think the other one works that way being Gustafson. If we want to do that with Pin Oak, we'll do that. But I think if we do that, once again, I see that as a problem coming down the line. McHargue says to McCormick you have been talking about Gustafson a lot more. The way it's done on Gustafson right now, does that affect that current home on the far southeast corner of that subdivision that is existing. McCormick says it doesn't look like it. McHargue says that's the one that always has a truck parked out front right now. If that's not going to affect that, then I'm fine with it. I don't think we have a homeowner that is objecting to that in that area. I think the only one right now is on Pin Oak Lane, unless I'm mistaken. All the department heads have seen this plat, correct. Kleihege says yes.

Biancardi says, so where are we at?

McHargue says does any homeowner have issues if Pin Oak is curbed to the south side of those properties? Those curbed to the south side and then connected on Pin Oak before the private drive goes on and the sidewalk wrapped around? Does anybody have any problems if that were to happen? Does anyone have any issues with Gustafson Lane and the current plan for it? Kleihege says I have a suggestion, what if we do curb it on Pin Oak but bring it down to our 16-foot. Keep the sidewalks the way they are. Give them a bigger side yard and we'll still do the landscaping per Phase I. We'll still have the curb but at least it will look like...what the Fire Department suggested or the Police maybe that we post it as "Private Drive" so if people go down there they can still turn around. Foster says my question to Kleihege would be, you are saying from the existing termination of the road you'd taper it down at that point. Kleihege says yes.

Biancardi says it sounds like there needs to be more time you to discuss solutions. Clark says I still stand by initial request. I prefer the road terminate at the end of the property line like the rest of the neighborhood. Like a normal road would terminate.

Biancardi asks the Board what they would like to do. We have our list of items that need to be addressed which are more administrative and then the concerns of the residents. McHargue says so with the list of items we wouldn't be able to make motion anyway is that correct? They would have to be completed prior to that. Biancardi says I don't think there are any changes to the plans. My preference is not to ever give a contingent approval on something, but as a Board we can do what the Board pleases to do. McHargue says my recommendation to Kleihege would be to work with the owners of Lot 18 and Lot 19 and come up with a solution that will appease them because otherwise I will not make a favorable recommendation, I know that for a fact. If the homeowners are not happy I will not be the one to be responsible for ruining their homeowner experience. It is their current property. The rest of the Board can do what they want, I just know how I feel. Come up with a solution for Gustafson Lane, aside from the snow plowing, but if you have talked to Street Commissioner Melton and he doesn't have any issues, I'm good with that. It is between you and the two homeowners and I believe they are the only ones affected. My suggestion would be that we probably continue the Public Hearing.

McHargue makes a motion to continue the Public Hearing for Trail Creek Phase II PUD on May 6, 2019. McCormick seconded the motion. **Motion carried by unanimous**

McCormick says we need to talk to Street Commissioner Melton about his plan for shortening these roads and see where he plans on pushing the snow when it happens.

Biancardi says what we would like to happen in the meantime is for the developer and the homeowners to come up with a solution. McHargue says are you clear about the administrative items? Kleihege says yes. McHargue says other than that it's really just figuring out how the termination of Pin Oak Lane will play out with the two homeowners. That is the only issue I have accepting it. McCormick asks Kleihege where are you going to end Gustafson? Where the sidewalk crosses? Kleihege says we'll have a parkway. There will be some grass in front. Then the sidewalk. McCormick says but it will be a private drive south of the sidewalk. Kleihege says correct. So you need to vacate half of Gustafson Lane, right here, as you have it platted on the street also. Kleihege says yes. Khalil says Lot 24 has to make that request. Do you own Lot 24 Kleihege? Kleihege says no. You have to get Lot 24 to request it and the adjoining parcel on the other side which is you, I believe, is that correct? Kleihege says part of it. But what if we don't vacate it, because it is becoming a private roadway. Khalil says, no, it does not become private because the existing plat prevails. McHargue says so the only way that would work is if he went to the south side of Lot 24 and turned it over there, like we're talking about doing. Khalil says correct, because otherwise you have to note it in the plat and I'm not quite sure that you can actually do that. You have to get an agreement for Lot 24 and yourself that this would be an unapproved public right-of-way. That's possible. But either way it will be remaining as a public right-of-way, unless you both request to actually vacate in front of the Town Council. Kleihege asks what benefit is it to vacate? Khalil says it would become private. That is what you want, correct. McHargue says otherwise you are going to have to continue the Town standard width of roadway to the south edge of these properties which is Phase I. That might be your easiest way at this point. I know it's an added expense but otherwise you will have to follow Khalil's suggestion. Kleihege says so what if we do extend it, can we reduce the size. Khalil says no, because on the primary plat for Phase I the roadway has been approved as such. Kleihege says ok.

Biancardi asks Attorney McWilliams if there is an issue with continuing a Public Hearing so many times. Attorney McWilliams say potentially a third continuance it's deemed approved. I would have to check. Biancardi says if you could.

### **Old Business**

#### Shipping Containers

Biancardi says I don't have anything on shipping containers, does anyone else. Bozak says we wanted to have it done. I thought we tabled it and brought it back and said we would finish it because somebody was trying to do something. McHargue says we were talking about reviewing the Town Plan. Biancardi says yes, correct. McHargue says so we wanted to get that done and taken care of first. Shipping containers will be tabled for the time being.

#### Review Master Plan

Biancardi says I do have an update. Hull and I were able to sit down and discuss. Since he is the President of the Redevelopment Commission and is involved in development in the Town, he was able to be more specific on where we might want to start with our priorities. I'm sure you're all familiar that in 2009 we adopted our current Master Plan, which also has two sub area plans. The Marquette Greenway Plan and the Downtown US 20. Those are the plans in Town that have been adopted by the Town Council and that is what drives development in Town. In 2015 the RDC had engaged Live, Work, Learn, Plan (LWLP) and out of their tenure with the Town came a Master Development and Revitalization Plan and then an Implementation Road Map. What didn't happen with that is it did not go to the Council to be formally adopted as our Master Plan. So what that has created for developers in the Town is a little bit of confusion. Which one is the Plan and what are we looking for. I think that one of the first things that we as a Board need to establish and it could be by consensus or a motion is currently we have an adopted Master Plan and then the two sub area plans. Then we also have LWLP which are more conceptual and/or provide inspiration for the future. But, I think as a Board, for current developers we just need to be clear on the Plan that drives development. My understanding would be the Plans that have been adopted by the Town which are the Plans from 2009. What are your feelings, opinions, ideas on that? What hasn't been clear to the development community is which Plan are we following? We have both of them on the website. We have talked about both of them but when it comes to the Town, especially with the 28-acres that we have and are looking to develop, what Plan are we following? So what I am asking and what Hull would be asking tonight is just for a clear direction on which Plans we are working from at the moment.

McCormick says since there are two out there we should take the 2009 Plan and remove the LWLP Plan. That is my personal opinion. McHargue says I need to spend a little more time with both Plans to review them. Biancardi says we can do that because that's the direction we're going. What I feel we need to do tonight is either say yes, we are going with what's adopted and we are going to continue to look at those because it is a pick up when it comes to developers looking at the Town. Are we all in a consensus that we will work with the 2009 Plans? McCormick says I feel we need to take LWLP off the website and leave the 2009 Plans on there. That way there is no confusion. The Board agrees that they will be working of the 2009 Plans and take the LWLP documents down.

The second priority is to update, and that is really administratively, what has changed in the Town in the last 10 years. So it would be updated statistics like the census information, property that we have purchased, Westport Community building is not located in Town now. Things like that need to be reflected as change in the past 10 years. So when we are talking about reviewing the Plan, that would be priority #1. Then going forward would be let's look at those plans that were created by LWLP. Is there value in those and how do we incorporate those into Town? Then going deeper into the Master Plan itself are the inconsistencies, are there things we want to change? That would be the direction we would go if everyone is in agreement with that. We shouldn't have waited as long as we have. We should have it on our radar as a Plan Commission to be looking at those updates annually as things change. So, going forward we should certainly do that. So we will take down the LWLP Plans so it's clear that we're working off of the 2009 Master Plan. We will work on updating the changes in Town over the last 10 years and then I think it might be worth it, as we have done in the past, to make a small committee to start looking at parts of the Plan. For those who aren't familiar with the LWLP Plan, for right now, they are on the website. Clerk-Treasurer Jordan may have extra copies for you so you can look at those and understand them.

### **New Business**

Review: Bonds, Maintenance Guarantees, Letters of Credit  
Biancardi says there are two listed on the agenda:

#### Patrick Kleihege: Trail Creek Phase I Infrastructure Guarantee which expires July 14, 2019

Do you anticipate asking for acceptance? Kleihege says we have someone out there doing a video on the sanitary. They started today. It should be a two or three-day process and as soon as I get the CDs I will send them over. Biancardi says then we have the punchlist...McHargue says on that punchlist is there a stop sign for that intersection we discussed. Kleihege says no there is not. Biancardi says I will email the Street Department and Police Department to see. McHargue says there should be a stop sign there. Biancardi says so you are good with your punchlist and when you complete those items you will let our engineers know so they can confirm that. Kleihege says yes. Biancardi says so you anticipate asking for acceptance prior to July? Kleihege says yes. Biancardi says just so you know that involves getting a recommendation for our Board to go to the Town Council for acceptance and that will be a two-month process. You don't want it to expire before then.

#### John Hicks: Village in Burns Harbor Phase 4A Maintenance Bond which expires July 20, 2019

Biancardi says this is your Maintenance and asks Khalil have you done your punchlist? Khalil says yes, and the deficiencies are very minor. There are four or five items. Once you approve it we will send the punchlist to them. Biancardi says to Hicks once you have completed the list, if you would just let Khalil know and he will sign off with us that everything is ok before the bond lapses. Hicks says ok. Biancardi says there is no renewal, once the punchlist is completed his obligation in that subdivision area is ours. We just want to make sure everything is in shape before that happens.

### **Good of the Order and Any Other Business**

*(recording malfunctioned)*

### **Announcements**

None

**Adjournment**

**Bozak makes a motion to adjourn at 8:17 pm. McHargue seconded the motion. Motion carried by unanimous vote.**

**APPROVED on May 6, 2019**

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Toni R. Biancardi for Eric Hull, President

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Marge Falbo, Secretary