

Town of Griffith  
Plan Commission  
October 12, 2016

The October 12, 2016 Plan Commission meeting was called to order at 7:07 p.m. by Chairman Larry Ballah with members Rob Bubala, Rick Ryfa, Tony Hobson, Dave Maglish, and Stan Dobosz. Also present was Town Attorney; Bob Schwerd and Building Commissioner; Steve McDermott. Absent was member Ken Ruesken.

Minutes from the September 14, 2016 and September 20, 2016 meeting were approved as written.

## **OLD BUSINESS**

### **Item #1 Goodwill Industries by Michael O'Connor of Holladay Properties; 1601 W. 45<sup>th</sup> Ave. Preliminary Site Plan Approval for a not-for-profit business.**

Mr. Don Torrenga and Mr. Doug VonGunten of Ancon Construction appeared before the Commission. Mr. Torrenga distributed drawings and continued in stating the proposed development is behind residential properties (Woodland Estates) and is zoned B3. The property is currently open space and has front road access. There is an abandoned car wash to the west and a dental office to the east. Goodwill Industries are proposing a building with a large parking lot. There will be landscape with fencing to separate the residential properties from the building and its utilities. The frontage road in front of Goodwill will be milled and resurfaced. Mr. Bubala stated his concern with donation drop off at the front of the building. Mr. Bubala asked if the layout could be rotated to avoid any unsightly pile up that may occur. Mr. VonGunten stated the property isn't suited for a side drive thru and the after-hours drop is emptied every morning. During normal business hours, donations will not be left outdoors. Doug continued in stating that a recent Goodwill was built in Dyer. Mr. Hobson asked if the store will mimic that location. Mr. VonGunten stated it will not, this proposed building will be the same as the Warsaw store. Mr. Maglish stated he would like time to further review the proposal. Mr. Ballah stated the Town Engineers have noted some conditions that need to be addressed on the drawings before the Commission can make a ruling. Mr. Torrenga stated he had not received any correspondence from BF&S. Mr. Ryfa stated BF&S noted drainage, storm water and MS4 improvements. Mr. Ballah suggested that Mr. Torrenga should get in contact with BF&S. Final approval will not be granted without the Engineer's approval. **Mr. Hobson made a motion** to continue Goodwill Industries to the November meeting due to engineering **seconded by Mr. Ryfa**. Mr. Ryfa asked if there will be new asphalt. Mr. Torrenga stated the area has a proposed 70-75% hard space. Mr. Torrenga mentioned that the detention area has already been accounted for when Woodland Estates was developed. **All favored to continue, motion carried.**

### **Item #2 Brent Tomczak; 613 N. Broad St. Public Hearing to rezone the property from R2 Single Family Residential to R3 Single to Four Family Residential. Petitioner has requested a continuance to the November 9, 2016 meeting.**

**Mr. Dobosz made a motion** to continue Brent Tomczak to the November Plan Commission meeting **seconded by Mr. Bubala**. **All favored, motion carried.**

## **NEW BUSINESS**

### **Item #1 Trail Creek Subdivision by Chris Kovich. Approval of final detail plan.**

Mr. Don Torrenga and Mr. Chris Kovich appeared before the Commission. Mr. Torrenga stated he had received the letter from BF&S stating approval can be granted contingent upon the water loop. Mr. McDermott stated the plans currently show there are three dead ends in the development. The request for the water loop is so that residents may receive quality water. Mr. Hobson asked if the loop will keep the water within the subdivision. Mr. McDermott stated that was correct. Mr. Kovich asked if it needs to include the 32 lots in Phase I or the entire property. Mr. McDermott stated there was not enough time for proper review and he was unsure. Mr. Hobson asked if the NIPSCO and Buckeye approvals had come thru yet. Mr. Kovich stated they had. Mr. Ryfa asked where the water main is in relation to the roads. Mr.

Torrenga stated the water is in the front of the lots. Mr. Kovich then explained that he is fast approaching inclement weather, and is in a time crunch. Mr. Ryfa explained that there has been a considerable delay but it was with Hammond and the water, the NIPSCO sign off as well as the fact that the plans have changed. Mr. Kovich explained that the changes were done to accommodate NIPSCO. Mr. Kovich stated the plans were submitted to BF&S on Sept. 15th. Mr. Torrenga stated the changes were to the entrance curbs, not to utilities or lots. Mr. Ryfa asked if the roads/radius' have changed. Mr. Torrenga stated they have not. There was then discussion as to how soon the BF&S comments could be addressed and reviewed again. Mr. McDermott then stated a trail bypass is needed and there is still a month timeline before infrastructure can begin. Mr. Kovich agreed. Mr. Ballah reaffirmed that the water main is the issue. Mr. Ryfa asked Mr. Schwerd where the development and approvals stand with the Town. Mr. Schwerd stated once the water concern is approved, the Town Council will approve an ordinance adopting the PUD. Mr. Ryfa asked if that could happen as soon as the next Town Council meeting, contingent to BF&S approval. Mr. Schwerd stated it was possible. Mr. Ryfa asked if approval should be made in two motions. Mr. Schwerd stated that would be appropriate. Mr. Kovich asked what the status is on the easements. Mr. Schwerd stated the email was received Monday and is expecting confirmation shortly. **Mr. Ryfa made a motion** granting final plan approval allowing the construction to begin (roads/entrances) based on letters from Buckeye/NIPSCO and Final approval of the PUD once the water issues have been signed off on from BF&S **seconded by Mr. Bubala. All favored, motion carried.** Mr. Kovich asked if the Town will have any part in paying for the extension of Avenue H. Mr. Ryfa stated the Avenue H extension is a multi-year project. There are wetlands and Army Core is also involved. It's possible the Town may provide assistance. Mr. Ballah added that it is unsure if Avenue H can even be extended.

**Item #2 Real Gyro Café by John Sanders; 331 N. Broad St. Application for Change of Use to open a restaurant/café.**

Mr. John Sanders appeared before the Commission. Mr. Sanders stated the building in question used to be a bakery and he would now like to open a cafe. Mr. Ryfa asked if the property is next to Villla Pizza. Mr. Sanders stated that was correct and that the property had been recently remodeled. Mr. Maglish asked if Mr. Sanders has purchased the property. Mr. Sanders stated he has signed a 5 year lease. Mr. Ryfa asked if the property is uninhabitable. Mr. Sanders stated it is not habitable. Mr. Ryfa asked if there are any plans to do exterior work. Mr. Sanders stated he plans to make it look like a cafe. Mr. Ryfa asked if Mr. Sanders has any other restaurant experience. Mr. Sanders stated he is hoping to sign a lease for a restaurant/bar on Broad St. within a month. Mr. Hobson asked if a Town business license has been applied for. Mr. Sanders stated he has not applied yet. Mr. Ballah asked what the time frame for opening is. Mr. Sanders stated he would like to open by the 1st of November. **Mr. Ryfa made a motion** granting change of use to Real Gyro Cafe by John Sanders; 331 N. Broad St to open a restaurant/cafe **seconded by Mr. Hobson.** Mr. Schwerd informed the petitioner that any outdoor seating must be approved by the BZA. Mr. Ryfa stated the construction of a patio would be at their own risk. Mr. Maglish asked if parking would be an issue. Mr. Ryfa stated parking in the downtown business district shouldn't be an issue. **All favored, motion carried.**

**COMMUNICATIONS**

**Item #1 Griffith Economic Development Commission concerning the proposed financing of economic development facilities of Menard, Inc.**

Mr. Bubala read aloud the document from the Economic Development Commission concerning the proposed financing of economic development facilities of Menard, Inc. (see attached).

Mr. Ryfa asked Mr. Schwerd if the Chairman should sign the document. Mr. Schwerd stated he should.

**Item #2 Providence. Side Yard setback, Lot #9, Phase1.**

Mr. Schwerd stated sideyard setback variances on a PUD needs to be heard before the BZA for a variance, not the Plan Commission. Mr. Ryfa asked what property was in question. Attorney Greg Bouwer stated Lot #9. Trial Creek, Phase1 was approved in 2005 and permits had been issued under a different Building

Commissioner without issues. With the latest submittal, the new Building Commissioner has concerns with the side yard setbacks. Mr. Bouwer continued in stating, there are many instances where setbacks vary from 2'9" – 3'. Lot #9 is proposed with a 4'6" setback. The neighboring building has just over a 5' setback giving 10' between the two lots. Mr. Ryfa asked how many lots are existing with a compromised setback. Mr. Bouwer stated there are 24 duplexes in Phase 1 and ½ don't comply with ordinance. Mr. Ryfa asked how many of the lots are 10' or less. Ms. Anderson of Providence stated there are 10 homes that are 10' or less. Mr. Ryfa asked if the plan has been changed since the original PUD for Phase1. Mr. Bouwer stated it hasn't. There was then discussion about who the Town's declarant is. Ms. Anderson stated this is the last lot that will be this close to the property line and asked for the Commission to make an exception to the rules. **Mr. Ryfa made a motion** stating that based on the history of the already developed lots, Lot #9, Trail Creek; Phase1 cannot have a setback that is less than 4.5' and shall be consistent with the previously developed lots and the delegate authority shall be the Building Commissioner **seconded by Mr. Bubala. Mr. Ballah; in favor, Mr. Bubala; in favor, Mr. Ryfa; in favor, Mr. Maglish; in favor, Mr. Dobosz; in favor, Mr. Hobson; abstained from vote. Motion carried.** Mr. Ryfa noted that all Turnberry sideyards from this date forward, should follow normal ordinance requirements.

### **BILLS AND EXPENDITURES**

**Mr. Dobosz made a motion** to approve a claim for the meeting held September 14, 2016 in the amount of \$65.00 **seconded by Mr. Bubala. All favored, motion carried.**

### **ADJOURNMENT**

There being no further business before the Plan Commission a motion was made to adjourn the meeting. All favored, motion carried. Meeting was adjourned at 8:14 p.m.

Respectfully Submitted

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Rob Bubala, Secretary

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Veronica L. Horka, Recording Secretary