

Town of Griffith
Plan Commission
April 18, 2022

The Plan Commission meeting was called to order at 7:00p.m. by Vice Chairman; Rob Bubala with members; Dave Maglish, Rick Ryfa, and Larry Stassin present. Also present was Attorney Bob Schwerd, Plan Commission Engineer; Jake Dammarell, and Building Commissioner; Steve McDermott. Absent were members Chairman; Larry Ballah and Jim Marker.

Minutes from the March 21, 2021 meeting were approved as written.

OLD BUSINESS

Item #1 Indi Homes 200 LLC; 1001 E 40th Pl., Public Hearing to rezone the property form R2 to R3 to build townhomes.

The petitioner was not present. *Mr. Maglish made a motion* to continue Indi Homes 200 LLC; 1001 E 40th Pl., to the April meeting, *seconded by Mr. Stassin. All favored, motion carried.*

Item #2 The Party Ave; 1915 W Glen Park Ave., Change of Use to operate a venue/banquet/event coordination center.

The petitioner was not present. *Mr. Ryfa made a motion* to continue The Party Ave; 1915 W Glen Park Ave., to the April meeting, *seconded by Mr. Stassin. All favored, motion carried.*

Item #3 Turnberry at Trail Creek; Turnberry Rd., & Glasgow Dr., Final Site Plan Review.

The petitioner was not present. Ray White; 613 Edinburgh. Mr. White appeared before the board. Mr. White stated they received their certified notices for the rezone for this property ten days late. Mr. White stated the first phase of the development was not notified. They were told the homes upon purchase would be the same style and price range. The new addition is a paired house and slab home which is different and contradicts what they were told when purchasing. Mr. White also wanted to express his concerns with the amount of increased construction traffic. Mr. White wanted to see if the traffic can be kept to Ave H. Mr. Bubala asked Mr. Schwerd if there is any recourse due to the mailings delayed. Mr. Schwerd stated they relied on the post office to deliver these and they are aware of an issue. Mr. Schwerd stated if the Plan Commission wanted to they could reopen the Pubic Hearing based upon the concern of notification. Mr. Bubala asked if this would need to be redone. Mr. Ryfa expressed he was unsure if it would need to be redone via certified mail. Mr. Ryfa mentioned possibly expanding the 300ft radius for mailings as well to encompass more residents in the subdivision. Mr. Schwerd stated they could waive the certified mailings but would need to have a publication. Mr. Ryfa mentioned that the Public Hearing portion was closed so this would be a new Public Hearing, they wanted to do it at the Town Council level possibly. Mr. Ryfa stated this was due to an issue at the post office. Mr. Schwerd stated he reviewed the documents and the petitioner was compliant and Griffith is not the only town seeing these issues with the post office. Mr. Ryfa stated they spoke about the truck traffic and possibly having a temporary access road, additionally they were concerned about changing the zoning as even if it changed it still allows for multi family housing. Mr. Ryfa asked if Mr. Kovich had been working with the Building Commissioner. Mr. McDermott stated yes, but that paired cottages were never presented, only single-family homes. Mr. McDermott then went over our zoning designations to explain the differences between R1 and R2 zoning designations. Ray White; 613 Edinburgh. stated that when they bought the lots they were told the homes would be like, the only upgrade was a third garage but they were restricted on the square footage and style to keep the homes all the same. Mr. Stassin asked how many individuals did not receive a notice. Mr. White stated he believes everyone. Mr. White stated they also wanted to drain into the retention ponds and expressed concern on the matter. Mr. White asked that if the proposed homes are slabs are bringing fill in. Mr. Ryfa stated that is the reason for the access road. Mr. McDermott stated that they intend to bring in fill and that as far as he is aware they do not intend to get a variance for a smaller lot than R2 requires, just front and rear setback variances. Mr. McDermott explained that there is currently 80' and 75' foot lots, R2 allows for a 70' lot minimum. Mr. White asked how many homes he is looking to put in. Mr. McDermott stated he believes another 52. Mr. McDermott stated the original subdivision plan was set up for 82 homes. Mr. McDermott stated the storm drainage and sewer were always the same as proposed with the intention of building more homes. Mr. McDermott stated he is unsure where the information of smaller homes is coming from but that information hasn't been provided. Mr. White stated the water table in the area is higher so he will need more fill. Mr. McDermott stated he intends to only construct slab homes, no basements, and they need to work out engineering issues with the surrounding infrastructure. Mr. Ryfa asked what the approximate minimum square footage of a home in the subdivision. Mr. White stated around 1800 square feet. Mr. Ryfa asked Mr. McDermott to compare some of the square footage of the homes in the area. Mr. White asked if there is green space. Mr. McDermott stated the final Site Plan is still being worked on. Mr. Dammarell stated that the technical review of the engineering will include full storm water review and will confirm the green space and a general review of the ordinances and standards to make sure all items are met. Mr. White stated they have a 100-year spillway that was dug after the homes near it were built, this was never explained to

the homeowners. Mr. White expressed this, and other things, should have been communicated. Mr. Dammarell stated the plan records are public record and that they can come look at them if wanted to see the easements and things like that.

Tom Kaye; 1192 Turnberry Rd., Mr. Kaye stated that he has in writing, how they were working diligently with the city so they could use their backyards, regarding the easements. Mr. McDermott stated the hundred-year spillway was in the drawings from the beginning. Gerald Purgert; 614 Edinburgh., Mr. Purgert stated he spoke to the mailman and confirmed that the mailman was on vacation, which held up the certified notices. Mr. Purgert also added that he was told when he bought the homes this was supposed to be single family, like homes, that were developed for people in Griffith who wanted to upgrade. Mr. Purgert stated he feels it is going to be changed and not what he was informed the area would be, which is similar homes, and would like to see that the original plan is kept to.

Mr. Ryfa made a motion to continue Turnberry at Trail Creek; Turnberry Rd., & Glasgow Dr., to the May meeting, **seconded by Mr. Bubala. All favored, motion carried.** Mr. Ryfa then asked Mr. Schwerd to look into the legalities of the options to hold another Public Hearing and expand the zone over 300' for the residents to be notified.

Item #4 Performance Services; 600 N Jay Ave., Preliminary Site Plan Review.

The petitioner was not present. **Mr. Stassin made a motion** granting Performance Services; 600 N Jay Ave., Preliminary Site Plan Review, **seconded by Mr. Maglish. All favored, motion carried.**

NEW BUSINESS

Item #1 C.N.B Construction, LLC; 900 W Ave H., Change of Use to operate a heavy industrial equipment storage & truck parking business.

Mr. Carlos Bernal appeared before the board. Mr. Ryfa asked Mr. Bernal what his affiliation with the property is. Mr. Bernal stated he is the owner of the company, not the property. Mr. Maglish asked what kind of equipment they will be storing on the property. Mr. Bernal stated bulldozers, bobcats, plows, excavators, and pushers. Mr. Maglish asked what the routes will be. Mr. Bernal stated it depends on where they are going, they go online to get permits and a route through the state. Mr. Maglish asked if they would go down Colfax or Kennedy. Mr. Bernal stated possibly, it depends on what they are hauling. Mr. Maglish asked about the footprint of the business on the property. Mr. Bernal stated they will occupy about an acre. Mr. Maglish asked if there were any issues with setbacks or utilities. Mr. McDermott stated no. **Mr. Ryfa made a motion** granting C.N.B Construction, LLC; 900 W Ave H., Change of Use to operate a heavy industrial equipment storage & truck parking business **seconded by Mr. Stassin. All favored, motion carried.**

COMMUNICATIONS

Collene Heath; 317 N Ernest Ave., in home child daycare, ordinance defines daycare as three or more children, petitioner has no more than two.

Ms. Collene Heath appeared before the board. Ms. Heath explained that she needs a letter from the town stating that she is exempt from needing a business license. Mr. Ryfa stated that they can confirm the ordinances but not grant any special permissions. **Mr. Ryfa made a motion** for Mr. Schwerd to draft a letter for Ms. Collene, **seconded by Mr. Stassin. All favored, motion carried.**

BILLS AND EXPENDITURES

Mr. Maglish made a motion to approve a claim for the meetings held March 21, 2021 in the amount of \$65.00 **seconded by Mr. Stassin. All favored, motion carried.**

ADJOURNMENT

There being no further business to come before the Plan Commission, a motion was made and seconded to adjourn. The meeting was adjourned at 7:37p.m.

Respectfully Submitted



Dave Maglish, Secretary



Aubrey R. Stegall, Recording Secretary