

MERRILLVILLE BOARD OF ZONING APPEALS
July 22, 2015
6:30 PM

The Board of Zoning Appeals meeting of July 22, 2015 was called to order by Chairman Minchuk at 6:30pm and led the group in the Pledge of Allegiance.

ROLL CALL

Members in attendance were Mr. Fortier present, Mr. Holtz Absent, Mr. Bigelow here, Chuck Stojakovich here and Mr. Minchuk here. Let the record show we have 4 out of 5 present. Staff in attendance was Dorinda Gregor, Attorney Touchette and Bob Csanyi of Robinson Engineers.

MINUTES: May 27, 2015

Chairman Minchuk asked if there are any additions or correction for the minutes of May 27, 2015.

Mr. Fortier said I was not present so I cannot make a motion.

Mr. Bigelow said Mr. Chairman I make a motion to approve the minutes as presented.

Mr. Stojakovich said I will second that I wasn't here either but someone has to do it. I read them and they looked good.

Mrs. Gregor said it almost made you feel like you were there.

Mr. Stojakovich said let the record show that Mr. Holtz is present.

Chairman Minchuk said Mr. Holtz now that you are here we are on the minutes. Is there anything additions or corrections.

Mr. Holtz replied no they looked good.

Chairman Minchuk asked all in favor by saying aye.

Motion carries

Chairman Minchuk proceeded I will call the case by case number and name of the petitioners I would ask that you come forward state your name and address for public record at which time you will be given an opportunity to present your case accompanied by any professionals that you may wish to have. After that we will open the case for further comment. If you are desirous of speaking for or against any case we ask

that you please sign in at the registry in the center of the isle. We will have a question and answer period followed by a staff report pertaining to each case presented this evening. We will also render a decision either for or against or a deferral for more information or other reasons which we will state. Would you please at this time silence any communication devices. We will appreciate it. Thank you.

COMMUNICATIONS:

None

OLD BUSINESS

Z23v11-0615 CLIFFORD RAPP, PETITIONER AND OWNER,

Located at 9194 Baker Street for a Variance approval from Sec. 21-137 to reduce the rear yard setback from 30' to 19' and to reduce the side yard setback from 6' to 4' in a R-3, Two Family Attached Residential zoning district for the construction of a 4 season sunroom addition to a duplex unit.

I am Cliff Rapp and Valerie Rapp lives at 9194 Baker Street. Basically what we are trying to do is move our 8' x 12' shed away from the fence and toward the street. It will be in our side front yard so that we can put on the 4 season rooms that we were deferred at last meeting.

Chairman Minchuk asked do you want to do these separated.

Mrs. Gregor said let's do them separately. So we were addressing the sunroom first.

Chairman Minchuk said so we are doing the sunroom first.

Mr. Rapp said the sunroom we had the contractor here at our last meeting. We want to put on a 12'x16' sunroom and you deferred it because the shed was kind of where we were going to put this and then we had to get the variance to move the shed so we could do the sunroom. So we are looking for the approval of both things tonight to get things rolling.

Chairman Minchuk said Dorinda

Mrs. Gregor read her staff report. Please vote on each petition separately and if approved for this petitioner only at this location only and for this use only.

Chairman Minchuk asked if there are any questions.

Mr. Fortier said since your wife is here with you this evening the sunroom is your priority.

Mr. Rapp said she was here last time, but yes it is kind of a priority.

Chairman Minchuk asked if there is anyone else. Hearing none is there anyone in the audience for or against. Seeing none can I get a motion to approve or disapprove? Sunroom only

Mr. Fortier said I would like to make a motion that we approve the variance on case #Z23V11-0615 for this petitioner, at this location for this use only.

Mr. Holtz seconded the motion.

Chairman Minchuk asked for a roll call vote.

Mr. Stojakovich said sure. Mr. Fortier yes, Mr. Bigelow yes, Mr. Holtz, yes Mr. Stojakovich yes and Mr. Minchuk yes.
Motion carries

Chairman Minchuk said the next petition.

NEW BUSINESS

Z27V14-0715 CLIFFOR RAPP, PETITIONER & OWNER, Located at 9194 Baker Street for a Variance approval from Sec. 21-10 & Sec. 21-12(b) (17) to allow a shed in front yard (corner lot) and variance approval from Sec. 21-137 to reduce the front Yard set back on West 92nd Place (cOrner lot) from 30' to 12' to relocate and existing shed on the property for personal storage use and for the construction of a 4-season sunroom addition (Reference Old Business Z23V11-0615)

Mrs. Gregor said she read both of the staff reports.

Chairman Minchuk said this is the first time in a long time that is really a hardship. I am for it. Anybody in the audience for or against this. Any questions here.

Mr. Holtz said the shed itself is very nice.

Mrs. Rapp said she has a picture.

Mr. Rapp said we gave them pictures last time.

Mrs. Gregor said we gave them a picture of this.

Mrs. Rapp said is it alright to come up.

Mr. Fortier said currently the shed does not have any foundation to it.
Correct

Mr. Rapp replied it is 4 x 4.

Mr. Fortier asked if he is going to put a foundation on it this time.

Mr. Rapp said no I just plan on putting gravel and then landscaping around it. It is still portable so if it has to be moved for any reason.

Mrs. Gregor said Mr. Rapp you are aware if both variances are approved permits are required for both items.

Mr. Rapp said well the permit for sunroom would be done by the contractors and if this is approved I will come in tomorrow for the shed.

Mrs. Gregor said ok very good thank you.

Mr. Bigelow said when your shed is removed it will be off of the utility easement that is on the back of your property also.

Mr. Rapp said Dorinda and I went through that with the Plat of Survey and drew it on there and there would be plenty of room.

Mr. Bigelow said I noticed when I was out there earlier that it was definitely within the utility easement back there.

Mr. Rapp said I wasn't going to move it until I got the approval because it cost \$140.00 to move it that 8 feet. I have already moved it once.

Chairman Minchuk said it is actually nice it looks like a small play house.

Mr. Rapp said my granddaughter wants me to empty it out so that she can use it.

Chairman Minchuk said seeing no objections from the audience or our board.

Mr. Holtz said seeing their neighbors have a fence along the side yard so they had to come in for a variance.

Mrs. Gregor replied yes he did.

Chairman Minchuk said seeing none can I get a motion please.

Mr. Holtz said I would like to approve Z27V14-0715 for this petitioner only for this use only and for this location only.

Mr. Fortier seconded the motion.

Chairman Minchuk asked for a roll call.

Mr. Bigelow yes, Mr. Fortier yes, Ric Holtz yes, Chuck Stojakovich yes and Mr. Minchuk yes.

Motion carries

Chairman Minchuk said see Dorinda before anything takes place.

Mrs. Gregor said so you are going to come in tomorrow to apply for the shed and then we will get the other items issued to.

Mr. Rapp said I will call the contractor and I am sure he will be in right away to.

Z28uV7-0715 WISE GUYS DISCOUNT LIQUORS, PETITIONER
MERRILL POINT CENTER LLC., OWNER,

Located at 9231 Taft Street for a Variance of use approval in a C-3, Highway Commercial Zoning District to allow an off premise sign located on an existing non-conforming freestanding sign that is on a vacant lot fronting Taft Street for advertising.

Chairman Minchuk said Dorinda I have one question on a non-conforming sign is there now I see that. Is there a problem with that no one asked to put it up or nothing?

Mrs. Gregor said well a permit was issued for that however they did not put it in the right place.

Chairman Minchuk said I am sorry Mr. Anderson.

Mr. Anderson replied no problem. Richard Anderson 9211 Broadway Merrillville Indiana. The owner is Merrill Point Center, LLC, the petitioner is Wise Guys Discount Liquors and the location is 9231 Taft Street. It is lot 5 in Twin Acres it is a vacant lot with a sign on it. It used to be a car wash. The car wash sign is there and it is in a C-3 Highway Commercial District. Basically there are no other signs on that lot. The Use Variance is because it is an off premise sign for the Wise

Guys which sits quite a ways off the street and this is a way to advertise that business out on the street and what it does is it revitalizes the existing sign that we have now which is this one. You have pictures of it.

Mrs. Gregor said we didn't have pictures but I drove by it today so maybe

Chairman Minchuk said I drove by it

Mr. Stojakovich said I have been looking at it for years.

Mr. Anderson said hopefully, basically what it does in to addition to revitalizing the sign it gives some more stability to the liquor store that is there so that we don't end up with another vacant store front. So it is quite a ways back off of the street and that is kind of a detriment to where it is at. So in the case of the Use Variance we would be asking for a positive recommendation to the Town Board.

Chairman Minchuk said I have to ask Mr. Touchette our attorney would that be any problem with the County jail being right across the street or within a certain amount of feet.

Mrs. Gregor said I think that CVS is right across the street and they have liquor too. They just stopped selling tobacco not liquor.

Chairman Minchuk said they have liquor there to.

Mrs. Gregor said they do but they stopped selling tobacco not liquor so.

Mrs. Gregor read the staff report. If this is approved for this petitioner only at this location only for this use only. The code requirements that they would have to meet cannot be larger than they cannot occupy more than 200 square feet of signage and also there has to be a clearance from the ground elevation to the bottom of the sign is a manual reader board which is 10 feet and that is with the other code requirements.

Chairman Minchuk said my questions is if this property is ever developed our code does not allow two freestanding signs located on the one zoning lot. Is that part of the agreement here I mean.

Mrs. Gregor said is something that they would remove it

Mr. Anderson said if someone else is there then it has to be removed there can only be one.

Mr. Touchette said so your sign would be removed.

Mr. Anderson said or there wouldn't be one for whoever build there.

Mr. Anderson said the car wash was there.

Mr. Touchette asked if the car wash sign is coming down.

Mrs. Gregor said no

Mr. Anderson said it is the same sign.

Mrs. Gregor said they are going to utilize the same canister.

Mr. Touchette said you have two signs there. That one underneath

Mrs. Gregor said that is a reader board.

Mr. Anderson said that is all part of the same sign

Mr. Touchette said oh that is all part of the same sign.

Chairman Minchuk said you are going to reconstruct that right.

Mr. Touchette said who is the owner of the lot.

Mrs. Gregor said the owner of the lot is Merrill Pointe who owns the plaza that sits way far back.

Mr. Touchette said so they know about this.

Mr. Anderson replied yes. They own all the lots in that area.

Chairman Minchuk said that is what I am trying. If they don't know about this and somebody else builds there and they will get mad because they can't put a sign.

Mr. Touchette said you are putting a condition on here that might affect those people. Do they know about this condition?

Mrs. Gregor said of course they will.

Mr. Anderson said yes because they had to sign the petition also.

Mr. Touchette said oh it is the same people.

Mr. Anderson replied yes.

Mr. Holtz said where is the muffler place going in.

Mrs. Gregor said to the south of where that billboard sign is.

Mr. Holt said between that and the gas station.

Mrs. Gregor replied yes.

Mr. Bigelow said there are no other signs in the area however there are two signs for that shopping plaza. One on Taft Street and the other on 93rd that both advertise Wise guys Liquors on both of those signs so there are two signs already there that indicate where this is and you are also only about 50 feet from a very big overhead sign put up by Lamar on the property just to the south of this.

Mr. Anderson said I don't think that there is any restriction with the Lamar one basically what you find with the shopping center sign if you take it in relationship to the Stracks which is down Broadway which is actually in Crown Point. There is a stop light where the sign is and one of the problems that we find when there is no stop light on Taft where the sign is at 91st and there is no stop light on 93rd where the sign is so you don't get the same visibility out of those pylon signs that you do if you have a stop sign. That is what we have been finding with regards to this. There is another Wise Guys in Hobart over by the Toys R Us and the Art Van furniture area and basically that store has signage where there is a stop and that store seems to do better than this one and we are trying to figure out some way to make this store move forward.

Mr. Touchette said the sign is already there.

Chairman Minchuk said he is just building on the same sign.

Mr. Touchette said the sign is already there and is advertising a business that has been torn down which is probably not the best situation either.

Mr. Bigelow said it is not that close to his driveway either it is about 130 feet south of the south entrance to that shopping plaza.

Chairman Minchuk said the way I am thinking is that the sign is already there. It is doing the reprinting on the same thing.

Mr. Holtz asked how is this different than Innsbrook.

Mrs. Gregor said that Innsbrook is in a residential zoning district. This is a commercial zoning district and this is an off premise sign because the business is located on a separate lot and this lot fronts Taft Street. This is a shopping plaza so I don't know how you would compare it with Innsbrook.

Mr. Holtz said Innsbrook wanted to have an off premise sign to didn't they.

Mrs. Gregor said at one time but that was

Mr. Touchette said that was to advertise a real estate business I think.

Mrs. Gregor said that was to advertise Innsbrook.

Mr. Touchette said that was not on their property and it was advertising their banquet hall.

Mr. Holtz said so it wasn't on their property.

Mr. Touchette said the first time they brought it in it wasn't on their property and then when they came back they had moved it to their property.

Mrs. Gregor replied yes.

Mr. Holtz said it is all Merrill Pointe property. Are they going to do a better job of up keeping that lot?

Mr. Anderson replied yes. As far as mowing it do you mean?

Mr. Fortier said a change of heart in keeping the property up now that we are talking

Mr. Anderson said hopefully they landscape all of their lots out there the same and if they need a reminder of that I will be glad to do that because all the other lots along Taft Street are for sale and have been for a long time so anything that could enhance those lots so they look better I think should be done.

Chairman Minchuk said I am sure our Code Enforcement will go out there and check it.

Mr. Anderson said I was out there today when I took that picture and the grass was in pretty good shape I thought. No

Mr. Stojakovich said you could always make it a condition of this sign.

Mr. Anderson said that is fine mowing the grass that is fine.

Chairman Minchuk said that is what we have a Code Enforcer. Can I suggest that the Code Enforcer keep an eye on it?

Mrs. Gregor said yes we will

Mr. Anderson said I will make sure they are aware of the fact.

Mr. Fortier asked this sign will only be advertising the liquor store.

Mr. Anderson replied yes.

Mr. Holtz asked is it going to be electronic.

Mr. Anderson said well it is lighted. The sign that is there now is lighted.

Mrs. Gregor said it is lighted and has a manual reader board

Mr. Anderson said no then that would be going into the digital type thing which would take something else.

Mr. Holtz said it just says it will meet the codes.

Mrs. Gregor said an electronic message center is permitted it just has to meet the square footage then. So for a 200 square foot regular sign is only permitted to have 160 square foot for the sign itself and 40 square feet for the electronic message center is it reached that max. They can't say well I want an 80 square foot electronic message center they can't do that because it is not permitted.

Mr. Touchette said this sign will be definitely an upgrade to what is out there now.

Mr. Holtz asked are you going to put an electronically one in there.

Mr. Anderson replied I don't know right now honestly. I think that we have to get over the first step before we go the next one to see if this is something that the Town

Mr. Holtz said as long as it meets the code requirements you won't have to come back to us.

Mr. Anderson replied if we keep it at 40 feet which is not very big to begin with. There is probably more than 40 feet there in the reader board that is manual the only thing that the electronic does for you I guess the guy that goes out there with the plastic letter doesn't get to do that but he doesn't have to do that in the winter so I suppose he is happy.

Chairman Minchuk asked if there are any other questions. Anybody in the audience for or against. Seeing none could I get a motion.

Mrs. Gregor said this will move to the Town Council. We are just a recommending body.

Chairman Minchuk said it is an eyesore now because I go by there with the car wash.

Mrs. Gregor said maybe if you wish place another condition on it if another business occupies that lot that the sign is removed because it is non-conforming. That may be an option to.

Chairman Minchuk said that was what I was asking earlier that if someone were to develop and somebody else wants to put a sign up now we have a problem.

Mrs. Gregor said you can't have two signs but they shouldn't be allowed to use that because it is non-conforming.

Mr. Holtz said when they originally build the shopping center since there are two signs was that a variance approval.

Mrs. Gregor said no those are permitted. Shopping centers are allowed to have two signs because they are usually a corner lot.

Mr. Holtz said ok since there is a third entrance actually there are 4 entrances in to can they put another one there.

Mrs. Gregor said where.

Mr. Holtz said at that street I am just asking.

Mrs. Gregor said you can only have one sign per zoning lot. If it is a single lot which this super wash was a single lot and was not a part of the plaza.

Mr. Holtz said can the plaza itself put another coming in and ask for another Variance

Mrs. Gregor said they could if they wanted.

Mr. Touchette said but you don't have to approve it.

Chairman Minchuk said the one that is there now is between the gas station and the entrance or exit whatever you want to call it.

Mr. Holtz asked is there anyway of moving the sign or since they are coming in and say

Mrs. Gregor said I think that the condition should be placed on it if that lot is ever developed that that sign be removed completely and the new owners put up a new sign that meets the codes 10 foot from all property lines.

Mr. Anderson said we don't have any problem with that.

Chairman Minchuk said one day this will be developed

Mrs. Gregor said one day it will be yes.

Mr. Anderson said this gives the opportunity for the liquor store to move forward so that it stays in business and then if someone comes along and they buy the lot again then you can put a condition that the sign goes away because then you at least have an established business that is there so you have a track record that when people go there they come back.

Mr. Touchette said it is a really nice liquor store. I quit drinking but they have quite a selection of wines there.

Mr. Fortier said Mr. Chairman I would like to make a motion that we do approve the Variance on case Z28uV7-0715 with the stipulation that the sign be removed if the property is ever sold or developed to another individual for this petitioner at this location for this use only at this time only.

Mr. Bigelow seconded the motion.

Chairman Minchuk asked for a roll call vote please.

Mr. Holtz yes, Mr. Bigelow yes, Mr. Fortier yes, Mr. Stojakovich yes and Mr. Minchuk yes.

Motion carries

Mr. Anderson said Thank you very much.

Z29E8-0715 YOUSEFF ALAHMAD, PETITIONER

ICD, OWNER, Located at 5924 Broadway for a Special exception approval in a C-2, Community Commercial zone for a proposed used car lot.

Good evening my name is Yousee Alahmad but I go by the name of Sandy Alahmad. I am here for 5924 Broadway Merrillville, Indiana. I do have my sister with me I hope that she will be my helper in the business. We do have an auto and transmitter center on 5924 Broadway it is a vacant place we are hoping that we can open a used car dealership in that location.

Chairman Minchuk asked Dorinda if letters were send out to other businesses.

Mrs. Gregor replied they were. Mrs. Gregor read her staff report. If approved for this petitioner only, this location only, for this use only.

Chairman Minchuk asked if there are any questions by the board.

Mr. Holtz said how are you to get cars to the back. I walked that area and it is like

Mr. Alahmad replied right we are not going to be using the back at all after I looked and everything if you allow me to give you this it would give you a better idea.

Chairman Minchuk said I don't know about you but I have already been back there.

Mr. Holtz replied me to

Mrs. Gregor said there is only 10 feet from the side property line to the building

Mr. Holtz said I don't know how they could get a car

Mrs. Gregor said at one time they parked vehicles back there but I don't know how they did it either.

Mr. Bigelow said you would have to go through the building to get there

Mrs. Gregor said but a parking space is 10 x 20 anyway so you could get something back there but to maneuver it around to head back out instead of backing all the out way out.

Mr. Fortier said you have never parked in Chicago have you.

Chairman Minchuk said my question is it is an auto and transmitter center now. Are you still going to keep the bays there? You said you are not going to do any transmitter work or brake or muffler but you have 6 bays are you going to redo them.

Mr. Alahmad replied yes we are going to keep those doors the same..

Mrs. Gregor said what they are going to park some of their more expensive vehicles on the inside for like a show room.

Chairman Minchuk said what I am saying is you already have your bays and racks you already have all those there maybe somebody would just say I will work on this car nobody will know you know what I am saying.

Mr. Alahmad said we are not going to do that sir. We are not going to do any of our work

Mrs. Gregor said I thought the building was vacant so.

Mr. Fortier said it is vacant but there is equipment there.

Chairman Minchuk said the hoist is still there it would not be anything for someone to go in there and say I will repair this one muffler. Someone could go in there and one of your workers say I am just going to slide this car in here and do this transmission real quick. The bay area can be changed into a show room area that is fine but the equipment inside the lifts and things like that is what we worry about.

Mr. Alahmad said we are going to be remodeling inside and removing all the tools from the inside. We are not going to even have mechanic on site.

Chairman Minchuk said he is going to be removing all the racks and all the pressures.

Mr. Alahmad replied everything is going to be cleaned.

Chairman Minchuk said that is what I am asking. Are you basically going to use that as a showroom for the more expensive cars?

Mr. Alahmand said like Dorinda mentioned just a couple of expensive cars.

Chairman Minchuk said if this were approved and I go by there quite a bit and so does our compliance officers. If someone sees a car being worked on we have it right here that you can't do it.

Mr. Touchette said I think that it said in there the application that they would be doing some detailing auto detailing.

Chairman Minchuk said that is fine but if we see someone outside with the hoods up and they repairing wheels, transmissions.

Mrs. Gregor said they can open up the hoods to show it to their customers.

Chairman Minchuk said I am talking about repairs and stuff. Everybody does that with the hoods.

Mr. Alahmand said actually we might need to seek help from the business around us if we need any mechanic we can go right next door that is why we weren't going to even offer that.

Chairman Minchuk said that was the only question that I had. Anybody else.

Mr. Holtz asked is there enough parking for the 6 employees.

Mrs. Gregor said the 6 employees is the total number of employees that they may have. They may not work at the same time. They just have an office person or who else.

Mr. Alahmand said it is like two at a time. Like 6 that is not at the same time we only need like a sales rep and another person for now.

Chairman Minchuk said there might be parking in the front.

Mr. Holtz said where are you going to be showing the cars whereas you have 6 bays and you put 6 cars in there. If you anticipate having 15 cars that is 9 cars on the outside will you have parking for people to even come to your business.

Mr. Alahmand said if you look on the front here I do have a couple of spaces for customers on the side for the

Mr. Holtz said I can see right by the front door.

Mr. Alahmand said and if you look on the other side here it is showing how many parking cars that we can show for sale which is showing 5

and 2 on the back is 7 and the first parking spot or the first two are going to be for employees.

Mrs. Gregor said I don't think that the number of vehicles that he is going to have is going to be 15 I think that it needs to be reduced.

There is not room for 15.

Chairman Minchuk said unless they reconstruct the back. My problem to is if you look in front that front lot is cracked up terrible. Is that going to be redone?

Mr. Alahmad said before we even

Chairman Minchuk said their grassy area and all the cement in the front is all cracked. There is potholes in there.

Mr. Alahmad said this is all before we even start doing business Sir.

Mr. Touchette said will it help to have a site plan drawn up to exactly where customers will park and where the inventory will be parked.

Chairman Minchuk said if they were to pave it and strip it that would show you exactly where the cars are going to be parked and what they have room for

Mr. Touchette said but you are talking about 15 is to many so

Mr. Alahmad said I mentioned even yesterday that there are only going to be 15 whatever fits on that lot and that's what I am going to do I am not going to even

Mr. Touchette said I would think that you would need to specify how many customers parking places that you need if you are too full of inventory you won't have any customers.

Mr. Alahmad said would you please if you take a look at the sketch here this will show you exactly what is showing the two parking spots on the side and it is my inventory on the other side and there are two other cars for my inventory and a couple of spots for my employees. If you would like me to stop and show you what I am talking about because I don't know what

Mr. Touchette said yes because I not really sure I know what you are talking about

Mr. Alahmad discussed his drawings to the board.

Chairman Minchuk said you said on the side you have room for 7 cars. That lot needs to be paved or whatever because it looks terrible.

Mt. Touchette said they are going to put a limit of the number of cars for sale. What inventory would you want?

Mr. Alahmad said maybe about 10 cars.

Mr. Fortier said I have been in the car sales business pretty much my whole life and most lots are just that lots with a small business office unless you are running a business out of it. It is just not a good demographic for a used car lot.

Mr. Touchette said they had their place over by Lexus that sold stuff inside didn't they. Recently you allowed to expand and then there was the gentlemen over by where the skating rink was that youth place didn't he turn that into where they sold cars.

Chairman Minchuk said just the brokers worked there.

Mrs. Gregor said just the people that purchased that the business over by the roller skating rink was where they can bring the vehicles there because the state changed some laws and they need to display something. The Town ended up approving that.

Mr. Touchette said so there is some present

Mr. Holtz said I was going to say didn't we approve I don't know if it is ever open but did we approve the one on Mississippi Street.

Mr. Touchette replied yes we did.

Mrs. Gregor said we I can't remember how many that they had but we did put a limit on the number.

Mr. Touchette said this sounds like a step up from the standard car lot. If they have cars parked in doors. I me most of them are outside.

Mr. Holtz said isn't there a car lot on isn't it 57th across from

Chairman Minchuk said there is one on 82nd Grant that they have high prices cars.

Mrs. Gregor said he was only able to display then on the inside and then like 3 years later he came back and asked to change that condition so he could start displaying on the outside.

Chairman Minchuk said I go past that place every day and that is what we are worried about. The one on Grant I go by every day and we told him he had to improve the lot because the lot was bad. He improved the lot and his cars are very high priced cars and the inside and the outside he has \$15,000.00 to \$20,000.00 cars but on the inside are his high priced cars and he keeps it very, very nice better than what was in there before him.

Mr. Touchette said I think that inside here they were talking about \$6,000.00 to \$10,000.00 cars they are looking at that might fit the demographics pretty well up there.

Chairman Minchuk said I just don't want to see no \$1,500.00 cars

Mr. Alahmad said we will have affordable cars but that doesn't mean it is \$2,000.00 cars. It is going to be in the range of \$4,000.00/\$5,000.00 or \$6,000.00. Like you said I won't even be going in that spot \$2,000.00 or \$1,500.00. One more thing we will be buying cars from auctions and we will be offering warranties. Not many people can afford the expensive you know.

Chairman Minchuk asked if he can put in there about the approvals.

Mrs. Gregor said you can put anything you want.

Chairman Minchuk said I would like to see the lot improved before it actually opens up for business. I don't want to see another dump site again. We have had that problem in that area and when people come into build I am more than happy to let them build only if they approve the lot and not keep a dump site.

Mr. Touchette said so what improvements would you want to see specified.

Chairman Minchuk specified would be lot what would you call it greenery or the grass.

Mr. Touchette said removing the hoist and that.

Chairman Minchuk said he said they are going to recondition the whole inside.

Mrs. Gregor asked are you purchasing or just leasing.

Mr. Alahmad said it isn't a problem because we know that we have to do that before we even sign.

Mr. Touchette asked if there is a sign on the building now. Is it a transmission sign?

Mrs. Gregor said there is a transmission sign.

Mr. Touchette said you will put your sign on there.

Mr. Alahmad said we will change the sign.

Mrs. Gregor said to change the sign and do remodel and repair the parking lot will all require permits and licensed contractors.

Chairman Minchuk said the contractors have to come get their permits you don't have too.

Chairman Minchuk asked if there is anyone in the audience that is for or against. Do you have any questions before I ask for a motion?

Mrs. Gregor said this will move forward to the Town Council.

Chairman Minchuk said seeing none I would like to get a motion.

Mr. Holtz made a motion to approve Z29E8-0715 for this petitioner only at this location only for this use only. They can't have more than 10 cars on the lot, they have to make site improvements to the parking lot and to the landscaping. They have to correct the interior to no longer have a functional mechanical so they can't have the hoist.

Mr. Touchette said do you mean 10 inventory cars.

Mr. Holtz said yes.

Mr. Fortier said for this petitioner at this location only for this use only. I will second that then.

Mr. Bigelow yes, Mr. Holtz yes, Mr. Fortier yes, Chuck Stojakovich yes and Mr. Minchuk yes.

Motion carries

Chairman Minchuk said this move forward to the Town Council and call Dorinda and she will give you all the information.

OTHER BUSINESS
MODERN DROP FORGE

Located at 8757 Colorado Street in a M2-Limited Industrial Corridor Overlay district and M1, Limited Industrial zoning district to discuss the paved interior drive area condition place on the variance approved by the Merrillville Board of Zoning Appeals under case #Z3v2-01112 on 1-25-12 (see attached minutes)

Thank you for putting me on the agenda.

My name is Dave Stiles Chief Engineer of Modern Drop Forge here tonight with Jody Parks our Plant Manager and Larry from Chester Inc. We are in the process of trying to obtain our Final Occupancy on the property at 8757 Colorado and in the process of doing that there were a few thing that came up in a review that needed to be done. One of those is the amount of paving that is on our stone road or our truck road on the property which was address during the meeting held in January of 2012. I have some drawings here that I would like to show you. There are some pictures to. The drawing is marked showing the entrance to Modern Drop Forge and the amount of paving is marked and it showed where the stone road starts but what we have today is paved around the first curve and then the stone road basically starts at that 45' mark and then it is store all the way down to the steel yard and what we are basically asking for tonight is if that can be approved as final. I know one of the issues was dragging stone out on Colorado and I know that was the concern at the last board meeting We looked at it yesterday and we looked at it several times since this issue came up and there is hardly any stone coming off of the stone road there is nothing coming off on Colorado just a few little bits right where the two meet the pavement and the stone so we are asking the board if it can remain as is.

Chairman Minchuk asked Dorinda

Mrs. Gregor said there really isn't a staff report. I gave you a copy of the minutes the way it was approved.

Mr. Holtz asked will it go to the Town.

Mrs. Gregor replied no it will not.

Mr. Holtz said based on the minutes before you were supposed to maintain that gravel road. I drove out there today and it was not very well maintained.

Mr. Stiles said we have a quote from Carlson and Inc. is a \$23,000.00 quote to repair the road and we are going to be issuing that purchase order very soon. We didn't want to do anything to it while we were constructing and finishing the plant and the curve itself is pretty good shape but down the rest of the road there is a lot of ruts and pot holes and that will be repaired including the ditches on the side need to be filled in so that they don't

Mr. Holtz asked you just have a poor drainage problem in that area because of the way it sunk.

Mr. Stiles said what happened was the road sunk I think that there is 12" on there right now and it finally took its final shape and in the meantime with the rain the shoulders made ditches so it wouldn't allow to do this so with that quote there is also to maintain bring the shoulders back so it has that. That was the issue and it was only in the center section mostly was the issue with the water would hold under the road so putting another 8" and then bringing the shoulders back and our excavator said that will do the trick.

Mr. Holtz asked will you need a pipe to help the drainage

Larry said if you look on this drawing here but to the south of the road that all drains to that little pond that is right in the middle of the parking area but it all drains to there so all sheet drains. If they get rid of the swale or little ditch on the side of the road they will actually bring the road up and fill the swale in and everything will pitch to that little pond. It levitates water but when we first started this project years ago we cut out about 5-7 feet of fill where the building is going and then we had to bring up the road base so what we are trying to do is get the best clay out of the property so we can build this road up and kind if when we got to that part there we dug some holes to get some good clay out of there but the clay held moisture at the time so we had to put that clay that was all the clay we had there so now what is happening we put like a bigger rock on the bottom and the rocks kind of lock it into place no but we still have some pot holes with smaller rocks what they are going to do is put 8" off the top and top it all off again. Hopefully it is not going to settle for another 10 years.

Chairman Minchuk said at the last meeting said it is a safe assumption that we will maintain any rock and I said I am not going to assume this. Mr. Duvall implied that I think that we can definitely arrange that. Provide a letter that we will maintain that. That is according to the minutes and that was what was said.

Mr. Holtz said that was why I asked if it is going to be maintained because I drove on it and it was in pretty said shape.

Mr. Touchette said I read in here to where someone said that in your other locates that you would have someone come out like probably 3 times a year to maintain the road I think that I read that didn't I.

Mr. Stiles said we have been on this project for 3 or 4 years now we have been bringing hundreds of concrete trucks down that road. We grad it off we maintain we put more stone on it we have been doing this for 3 or 4 years however now with such a wet season that we had this year we really couldn't do a whole lot to it but now we are to the point that it is starting to dry up a little bit now and they got bids and now they are going to put another 8" stone on top of it. The worst place is when you pull into the drive you take the radiuses really good you get down the radius the center portion of the road. The back of the building around the steel yard everything is fine just that long strip that we the problem.

Mr. Holtz said well that was what I was saying do you need to put drainage underneath the road so whatever water is coming there continues through and just doesn't sit there.

Mr. Stiles said the theory is now with Carlson they want to originally we had a swale on each side of the road and they drain down the road and there is other cuts that cut through the grass and goes to the pond. It has been working very well with the heavy rains so what Carlson wants to do is fill in the swale bring the roadway up and everything is just coming to the hill sheet down the yard into the retention pond and then go around to the main pond.

Mr. Holtz said so you are saying that on the north side of the road it is going to be all level

Mr. Stiles said it will probably be pitched to the road and then the road will be pitched and then it will be pitched the rest of the way.

Chairman Minchuk said 3 years ago in the entrance area we are going to grind that existing surface to where we are going to add asphalt to it so it is going to be a pervious surface at this point we want to maintain a very nice looking entrance but we are probably looking at 100 feet is what we are looking at the gravel area.

Mr. Stiles said we came in from Colorado Street we came in we actually took a road out we actually took the existing drive but we raised it up 2

feet we put some culverts underneath it so we had to raise it way up. We ground back the existing drive into the old drive and we ground back in to the existing parking lot then we came back in and I think 9" of asphalt in there it comes down over the road over the hill it goes back into the parking lot it goes down the drive and now it makes a radius and then we came back into the existing parking lot and we cleaned it sealed it restriped the entire parking lot.

Chairman Minchuk said aren't we concerned about Colorado Street and not the parking lot. What is our main concern here?

Mr. Fortier said gravel coming out on Colorado

Mr. Touchette said and lime stone like dust.

Chairman Minchuk said again we were told that would be maintained and that is what I am going by. With the water this year I totally understand that. But 2 years previous to that I mean did any one go there and check it.

Mr. Touchette said I drive by there all the time

Chairman Minchuk said and what have you seen

Mr. Touchette said I see a gravel road and it is not shown in the pictures unfortunately that was what we were brought in here for.

Mr. Stiles said I took pictures and I was trying to show the drive way and the approach. I wasn't really going on the gravel road.

Mr. Touchette said I see there are drainage issues with that gravel road and there I couldn't tell how big the holes were because they were filled with water. So if you were going to maintain it like this I would think that there needs to be some kind of a spec drawn up or some kind of drawing that actually specifies what standard you will maintain the gravel driveway.

Chairman Minchuk said there is supposed to be a letter I have never seen one have you.

Mr. Touchette replied I don't know what was supposed to be but I think that you talk about we will do this and we will do that. I think that this needs to be put on some kind of drawing or something that what you will maintain it to ok In the prior preceding you said like 3 times a year we have someone come in and basically dress up the road and this is my language but we need to know what the road needs to be dressed up to or

Else once you leave here today then you won't really have any standards to maintain it to because we don't have we have standards for drive way and that are asphalt and concrete but we don't have standard for gravel drives like what you've got so it would be nice to have something I think to have some kind of a spec or something

Chairman Minchuk said it says right here we will provide a letter that we will maintain the area (Colorado Street) that is what we are talking about.

Mrs. Gregor replied maintain Colorado you have to remember that the gravel drives provides an access road to the back. It has nothing to do you know they varied from the code back then.

Mr. Touchette said the issue back then was are you going to pave it asphalt because that was the standard or you shot a price for concrete which was prohibit able expensive or will you allow us to have gravel. Now you said that you would have 10 trucks coming in a week to haul steel in there and that apparently there is some sort of dumpster that has to be dragged around and that would mess up the asphalt so you did not want that to be asphalt ok and you wanted it to be gravel so then you could fix it and then it was discussed that is really not that big of a part of the driveway ok that you wouldn't need to have it all gravel because you are not going to be dragging that dumpster all over the place so it basically came down to a question of you wanted to put gravel in because you didn't want to incur the cost of putting blacktop and/or concrete to meet the code so that was the issue at the time.

Chairman Minchuk said I asked that when you are maintaining it would it be cleaned up and they said there would be a letter it said we would provide a letter that we will maintain that when I asked about rather than assuming about the rock kicks up and breaks a window and I never seen a letter on it.

Mr. Touchette said that is what we came today to talk about that what they are going to provide because this is your time to make what requirements you want now at the time your know John you were talking about rocks being kicked out onto Colorado Street and mud and things like that. Like I said I drive by there at least once a week because I go to Sam's every Saturday morning and I go by there and I really haven't seen rocks out there.

Mrs. Gregor said I can state that for about the last 3 years we have received one phone call and that was when you were first up and running. One so

Mr. Touchette said ok you do get some tracks ok and that is no big deal. The issue Colorado Street I don't think that there is a problem. I don't think there has been any problem. So I think that the issues is if you are going to allow it to be maintained as gravel I think that John wanted something in writing to as far as what standards will you maintain I think that is a reasonable request

Mrs. Gregor said and on that standard probably our Town engineer should address.

Mr. Csanyi said if they could provide a detail that shows the existing depth which you mentioned 12" what you are proposing to put on top and then what slope there is going to be and I don't know if you are going to have these little cut outs or something to drain or is it all going to sheet drain. If you could just provide a detail on a sheet and then we could take a look at that. I think that will satisfy

Mr. Touchette said I think that you might what to look at this to make sure you are satisfied with it after they come up with something defer this for today and you guys come up with some kind of written standards that they will maintain it for you.

Chairman Minchuk said I don't really care about the deferral I really don't but if they would tonight say will write a letter and if it is not I would absolutely want them to come back and refuse

Mr. Fortier said here is the issue I have with the request. You asked for a variance which we were hesitate to give you for the blacktop we gave you some leave way and said ok let's do 1200' which was cost prohibit at that time we only had one person from the contractors group here who could not spend your money which I can understand that so he did agree to the 170 around the S curve so we had two curves that would remove stone and mud from truck tires now that it is an issue you are back here asking not to do the rest of it. You already agreed to do it. It is an 18 million dollar renovation granted you didn't spend 400 hundred and forty thousand on paving the whole thing but a 170 x 30 I think that you can get it done fairly economically. I don't understand why you are here asking not to get it done. That is the only section of driveway right know that is in good shape keep it that way. That was the big thing was we cannot pave it because our big trucks will tear it up. There is no damage to that pavement out front none what so ever somebody did a god job.

Mr. Stiles asked do you have minutes on the last meeting who was here I was not.

Chairman Minchuk replied no on from Modern Forge

Mr. Holtz said Debold

Mr. Touchette said and then it came up in conversation that my client doesn't want to pay that much money and that is what it came down to. We don't want to pay for the paving and that is what it came down to. He started talking about the dumpster tearing the stuff up and where you drag it and that but once it is up on the truck and that you are not going to be tearing it up that was what Mr. Minchuk and Mr. Fortier made that point.

Chairman Minchuk said he did say he would write us a letter guaranteeing they would maintain it.

Mr. Stiles said that information did not get back to David who is the project manager or myself otherwise you would have had your letter. But I can tell you I don't know about what he said about dragging dumpsters on the gravel roadway no dumpsters ever get drug on there.

Mr. Touchette said just where it gets pulled onto the trucks.

Mr. Stiles replied initially

Mr. Touchette said you might have to drag the tongue of it around to get it

Mr. Fortier said then he told us the weight of the trucks would tear up the asphalt to the point it would need to be repaves every 3 years and we asked him if that is going to happening to your driveway what is it going to do to Colorado he basically said he doesn't care about Colorado. That is in our minutes.

Mr. Stiles said we care about it.

Chairman Minchuk said everything we are saying is there.

Mr. Stiles said let me tell you in our other facility and I know you don't care about Blue Island and quite frankly I don't either. Our entranceway and our driveway was probably double the size and was a gravel entrance and a gravel pick up. We did maintain that road we did grade it at times to keep the pot holes down and the road held up very well. It was just a matter of putting every 5 or 6 years maybe a layer on and it grade it and it held up for another 7 or 8 years that is how the gravel holds up very well for the trucks going through.

Mr. Touchette said the thing was that the code here requires blacktop. It is probably different in Blue Island. I don't know what the neighborhood is in Blue Island if it is more industrial than here.

Mr. Styles replied no

Chairman Minchuk said it is just the promises that were made and letters were going to be written and not have been done.

Mr. Stojakovich said we won't get into what the Town of Merrillville did as far as tax/tiff money. That was a lot guys.

Mr. Fortier said if you don't mind me reading you his quote about Blue Island. He said that the hardship is here is that it is going to be easier for them to maintain the gravel drive. Like I mentioned before they have several other plants and they are all set up this way. They had one plant in Blue Island area where the asphalt gets chewed up from the wear and tear of these trucks so what we would like to do is add the gravel so that they can stay on top of this and maintain the drive a nicer drive. So he is telling me that your Blue Island was blacktopped. See what I am saying

Mr. Stiles said the whole inside area just like it is in Merrillville is either concrete or asphalt but the entrance way where the trucks drive in is gravel I can assure you that.

Chairman Minchuk said this is what we were told.

Mr. Stiles said I don't even know who that guy is.

Mr. Touchette said a gentlemen from Chester.

Mr. Fortier replied Mr. Debold he is from Chester.

Mr. Stiles said I might mention about the cost of putting in an asphalt drive. We have the separate prices to put in asphalt instead of gravel or concrete and knowing that we are going to have to replace that asphalt just does not make sense. To give you an idea asphalt is \$413,000.00 the concrete is going to cost \$996,000.00 dollars. To use the application that we are showing on this drawing right now is \$177,000.00. This just doesn't make sense for what we are trying to do anything to pave it it just doesn't make sense we don't want to spend that much money.

Mr. Fortier said which we agreed to. It is not necessary but at the time it was agreed to that we would pave around the curve and now we don't want to do that. What is it going to cost to pave 170 feet 30 feet wide? You already have the sub down. I am going to say \$60,000.00.

Mr. Stiles replied \$18,450.00

Mr. Fortier said isn't your time worth more than that.

Mr. Stiles said well we are \$50,000.00 now because the roadway is pushing \$30,000.00 doing the gravel what we have to do now we are at \$50,000.00.

Chairman Minchuk said where the lease work coming from. We were lied to I don't know if it is and out and out lie and I don't know why maybe exaggeration I should say half-truth.

Mr. Stiles said guys I don't understand I don't know how here's my understanding of what happened. We have a variance that we don't have to do the entire driveway which the owner and myself were very happy to hear that so when the job was done we assumed it was done to what the specks that you guys were asking for.

Mr. Touchette said the last meeting here was that this would be reviewed again in 6 months. That was part of this to be reviewed again in 6 months.

Mr. Stiles said that is why we were coming here.

Mr. Touchette said I was given this in a packet because why are they going on the agenda what is this about and then I read all this about the road and I said Mr. Stojakovich said that maybe in 6 month in operation we will review this again and I thought that this was what it was all about. If there had been gravel going out into the street this is when we would address this. There is not gravel going out onto the street ok we are not trying to say that now Mr. Fortier is saying that there was paving that was agreed to that hasn't been done. Isn't that what you are saying?

Mr. Fortier said correct.

Mr. Stiles said we thought that we were done with the pavement and had met the conditions and when we were trying to get out Final Occupancy It came up. I am not sure who drove by and said this is not what you guys agreed to and we were not aware of that and so now we are looking at it and saying ok is this good enough what we did.. It has been in there for quite a while now so we started looking at the stone issue and we are not seeing the stone be dragged out onto Colorado so we apologize for not knowing that we had to do the whole curve and I guess we are asking if this is god enough because it seems that the issue was

maintaining Colorado and the stone road which we are about ready to issue a purchase order to do but we will make drawings to make sure there is a standard for that.

Mr. Fortier asked how long have you actually been doing work out of the facility. How long have you had trucks transporting I live there I get to wake up to you every morning.

Mr. Stiles said our first hammer started October 2013. There was minimal traffic at that time.

Mr. Fortier said that was your small hammer.

Mr. Stiles said that was our big one 5,000 lb. hammer.

Mr. Fortier said ok

Mr. Stiles said we are on the last skid. We have the two heat treatment installed being put in now. We are on the final leg of the final move.

Mr. Fortier said but my point is we aren't up to full operation so we don't know when the next winter hits and you are plowing that stone driveway. I just think that we should stay with the original variance and get the extra 170 feet paved.

Chairman Minchuk asked what do you think.

Mr. Stiles said I understand the concerns I would say in reading the minutes that it was stated that the additional 170 feet were to be done. I would say stick with that and it is just going to help things out as far as the extra traffic of the stone and the lime dust and so forth that is something I know when back and forth in conversation the last time and just sitting here and listening I think that is the direction that we should go.

Mr. Holtz said I know another off the wall questions is you look at this drawing and you are supposed to have retention pond but right now there is a big dirt pile there isn't there on the south side of the building isn't there a lot of dirt.

Mr. Stiles said there is a retention pond on the south side of the building but what you are seeing right there by the road that was a surplus pile from all the foundations. It shows it right here on the print. A company came in and he was going to remove it all. Level it all down this was late fall of last year. They had good intentions coming in taking dirt out something happened with his operation he never showed back up we

cancelled his contract to take the dirt out. He was just taking dirt away so we are going to level it back down again and then someone else was doing something else and that just made a mess of it. So Rick, we have another one and they took samples out of the pile and he is going to be finishing the job before fall of this year. That is completely getting the dirt out leveling it excavating and seeding it

Mr. Holtz said shouldn't that be done before we give final approval to.

Mrs. Gregor said the final approval is for them to get the full occupancy which has nothing to do with this. It has to do with our office. Those issues will be resolved before they get final occupancy. The final occupancy also included the 170 foot of hard surface around the curve. That is part of the requirements.

Mr. Holtz said they need to do 170 foot of asphalt and then they have to maintain the gravel road itself ok.

Chairman Minchuk said we were supposed to get a letter on that.

Mr. Holtz said we can't approve anything until you uphold your end

Mrs. Gregor said you are not approving anything all they came into request is that they eliminate the 170 feet.

Mr. Holtz said is that they are asking for.

Mr. Touchette said I wasn't sure what you were asking

Mr. Fortier said they just don't want to do the 170 feet that was agreed to.

Mrs. Gregor said the 445 is already in.

Mr. Stiles said it was approximately 170 feet from where it ends now to where it takes the turn to the east.

Mr. Fortier said the reason we agreed to that so that when the trucks make the left hand turn they can knock the stuff off of the tires of the right side and when they make the right hand turn we had two turns to help clean the tires. Basically that is why we agree to both of the 90 degree turns. So there was some thought behind it we weren't just trying to be stubborn.

Chairman Minchuk said did you see where we were going to do this and that and here is where we were going to guarantee a letter never got nothing. So when I seen it back again I thought wow.

Mr. Touchette asked will we be able to come up with some kind of standard with the engineer as far as maintaining the gravel. I mean some kind of drawing because you can see that road from Colorado Street and I know Julie Olthoff was President at the time and she was asking if there would be any landscaping so the gravel road would be hidden. There is no landscaping

Mr. Stiles replied no not yet.

Mrs. Gregor said again they is why they are here they want to obtain the Final Occupancy so the landscaping, the pond

Mr. Touchette said I know you guys are god operators and you are Johnny on the spot but the guys that come after you might let that road go to hell and it doesn't look good from Colorado Street to see some bad gravel road and on top of it the guys down the street have trucks come into and they see well these guys are getting away with not maintaining their stuff. We had them come in and asking about parking on gravel and that we made them go through a bunch of stuff to park their trucks on gravel.

Mrs. Gregor said do you plan on moving your operation soon.

Mr. Stiles replied moving our operations from Merrillville I am going to retire.

Mr. Touchette said that is the things you guys will retire then someone else will be in there and they will say I didn't know those guys said they would do that so it would be nice to have something in the file so when the next guy comes in look here is our maintenance requirements what we do around here and this is one of the things take care of the road.

Mr. Stiles aid we don't want our drivers coming through there and get beat up on those roads so we do maintain keep the potholes down and add gravel as necessary. If you need us to put that in a letter to say that is what we will do that but to say a time and a date they wear over certain conditions.

Mr. Touchette said you might not need to do anything for a whole years. I understand that but you know they guy that was here last time said 3 times a year ok that is in there. Mr. Stiles said you read that and you saw that in there and thought we don't really do that and why do it if .Why

do that when it is not needed ok. When it is needed it needs to be done and

Mr. Holtz replied right now it needs to do done because I drove on it.

Mr. Touchette said hadn't even seen this and last week when I drove to Sam's I looked at it had been raining and I thought you know that doesn't look to great. I guess I thought these guys will be getting out and maintaining it

Mr. Stiles said it was unnoticed of the condition of the road at the end of last fall we celebrated our 100th Anniversary and celebration and I actually think that we invited some board members and some showed. Our excavator Art Carlson is a close friend of ours for 50 years and for many years pulled me aside and said Jody that road is going to be about 8" not just the grading and you are going to have to do the shoulders and so it was duly noted that we knew that but we didn't want to get into that before winter. We are doing our final move the big equipment this summer it is on the docket we have a quote like David told you to get it done and it will be done within the next month. I just wanted to share that with you.

Mr. Fortier said does that mean it is going to get even louder.

Mr. Styles said no all the noise makers have been there since March.

Mr. Fortier said like I said I live there and saw the big trucks coming in and I was told that the big hammers where coming in and I just leave my windows closed.

Mr. Styles said I would just like to add again and reiterate to provide a detail for the stone and then also for that 170 feet of what you are going to do as far as for the asphalt and base and so forth I will need to

Mr. Fortier said after we make a motion on what we are doing with the variance request.

Mr. Styles said I just wanted to add that in

Mr. Touchette said I don't think that there is a variance request before you. You had the variance before

Chairman Minchuk said.

Mr. Touchette said right that is what I am saying bet it didn't go through we are going to keep it the same

Mr. Fortier said I would like to make a motion to follow what we agreed to which includes paving the additional 170 feet around the S curve and our engineer would like the schematic and the details on that.

Mr. Styles said the roadway and the asphalt. The stone and the thickness of the asphalt we are going to put on it.

Chairman Minchuk said we have a motion can I get a second please

Mr. Bigelow replied second

Mr. Holtz said why are we voting of...

Mrs. Gregor said we aren't voting on it

Chairman Minchuk said we have a motion and a second

Mr. Touchette said we know what's required right Mr. Engineer.

The engineer replied yes.

Chairman Minchuk said ok I say let's stay with the requirement and why wouldn't you take a roll call

Mrs. Gregor said what is needed for them to fulfill the Final Occupancy

Chairman Minchuk said so we are not going to change nothing

Mr. Holtz said you are working know right

Mrs. Gregor said yes they are

Mr. Holtz said the only difference is that they don't have that piece of paper that say Final Occupancy.

Mr. Fortier replied we are not going to kick them out.

Mrs. Gregor said we aren't going to kick them out they are going to be there another 100 years and we are all going to be dead and gone. We don't care what happens to the next.

Mr. Csanyi said I would just like to ask if there is a time frame that I can expect to receive the details prior to you guys doing anything

Mrs. Gregor said before they receive their occupancy Bob.

Mr. Styles said it still needs to dry up a little bit.

Mrs. Csanyi said I just want to see it before your do it .

Mr. Touchette said he wants to approve the drawings before you guys

Mr. Csanyi replied exactly so you are doing something that

Mr. Styles said we will call you next week.

Mr. Csanyi replied thank you

Mr. Holtz made a motion to adjourn

Mr. Stojakovich second the motion to adjourn.

Meeting adjourned at 7:55PM

Respectfully submitted
Janet Rosko

