

DUNE ACRES PLAN COMMISSION
PUBLIC HEARING
November 10, 2014

The public hearing was called to order at 7:30 pm. Present were Thomas Cornwell, Jane Dickey, Richard Hawksworth, Robert Lauer, Lou Mellen, and John Sullivan. Absent was David Rearick.

On October 13, 2014, the plan commission gave tentative approval to the preliminary plat for the Dune Acres 13th subdivision. The public hearing is the next step in the subdivision process. Attorney Todd Leeth and engineer John Hannon represented the applicants, the Flora Richardson Foundation. Public notification consisted of published notices in the Chesterton Tribune and Valparaiso Times (on October 23, 2014), a posted notice on the Dune Acres Town Hall and on the Dune Acres Security Office (October 29, 2014), and certified mail to property owners within 300 feet of the West Road property (October 28, 2014). The preliminary plat for and legal description of the property was available in the Dune Acres Security Office (October 29, 2014). Evidence of publication and certified mailing receipts were provided by attorney Leeth.

Todd Leeth introduced himself and informed the meeting that his client would like to give some background. Dominic Martin, a member of the Foundation board, reviewed the functions of the board and their plans for use of the endowment funds to develop a wildlife sanctuary. Mr. Leeth then reviewed the plat of the proposed two lot subdivision. The land, known as 64 West Road, consists of 3.46 acres and currently consists of 3 parcels. The new plat proposes some of the land (approximately 1/2 acre) be dedicated to town to improve the placement of the lot lines with the existing road. The rest of the land would be divided into two buildable lots which would be offered for sale.

John Hannon was asked to explain the plans for the land. The area will be divided into two lots: #1 will be 1.81 acres with a 170 foot width; #2 is 1.8 acres and will be 252 feet wide. There will be public right of way given to the town to eliminate current inconsistencies of existing property lines and West Road placement. No infrastructure is planned. Both lots will have direct access to West Road. Great Lakes Engineering has been conversant with the Porter County Health Department and sees no problem with septic tank approval.

Opportunity was given to those present to make comments and to ask questions of the developer. There was a request for a 5 minute time limit on comments.

Thomas Cornwell noted that two favorable comments had been received via e-mail.

Jan Bapst, a member of the foundation board, noted board cooperation with the town and the land donation for "cleaning up" property lines; expressed feelings that the town assessed valuation would increase and the entire Duneland community would benefit by the board pursuing educational opportunities.

Beverly Hubbs had questions about West Road.

Lou Roberts indicated the change would be an improvement and lead to an increased tax base.

Cheryl Evans had several concerns about the actions of the plan commission, how the comprehensive plan for Dune Acres was being followed regarding erosion, the legality of composition of the plan commission, and conflicts of interest between the plan commission and the Richardson Foundation. She was advised that the town council had sought legal advice regarding her previous opinion of the building restriction placed on the property in 1957. The advice was that no restriction applied. That advice was supported by the town council. Mrs. Evans comments exceeded 45 minutes.

Bill Nixon stated that dividing the large area into 2 lots equals one house per lot.

The meeting adjourned at 8:45 pm.

Respectfully submitted,
Joan Rearick, secretary