

**TOWN OF BEVERLY SHORES
BUILDING SITE AND BUILDING COMMITTEE
MEETING MINUTES
OCTOBER 8, 2022**

The meeting was called to order at 8:30 a.m. at the Administration Building.

Roll call:

Present: Scott Vliek, Chairman
 Brian O'Neil, Vice Chairman
 Mark Lies, Secretary
 Dave Wagner
 Margaret Williford
 Council Liaison, S. Loeb

I. Roll Call. There is a quorum.

II. Title VI forms are available online for attendees.

III. Minutes – Minutes of the meeting of August 13, 2022 were unanimously approved.

IV. Building Commissioner Report

- A. List of active permits/project status - Building Commissioner reports on status. Majority of projects complete.
- B. Inspections conducted in previous month. Building Commissioner Reports.
- C. Communications received from residents
 - 1. Questions about ordinances – Building Commissioner reports on questions about interpretation of ordinances. Building Commissioner advises not to render opinions on whether lots are buildable.
 - 2. Questions about procedures to add on or remodel - None.
- D. New permits on the horizon – Building Commissioner reports inquiries on potential new permits.

V. New Permit Applications – None.

VI. Public Comments –

- A. 419 E. Lake Front – Resident raises questions about definition of structure under revised ordinances and whether multiple permits required on a project of multiple structures. Building Commissioner advises only one permit required. Committee advises resident that she can go to Plan Commission for interpretations of ordinances. Chairman advises resident that BSBC has some input on interpretations on ordinances and can submit to Plan Commission which makes its recommendations and sends to Town Council.

- B. 12 S. Broadway – Discussion about fine issued to resident for clear cutting property without permit. Fine is \$2,500.00.
- C. 20 S. Pleasant – Resident is a subcontractor and asks about what type of work is permissible on Sunday as well as three-day holiday weekends. Discussion regarding activities which generate noise on Sunday or holiday weekends and source of information on ordinances. Resident informed cannot have contractors on site but resident can pick up garbage, clean property, cut grass, use weed whacker. Chairman advised that Committee cannot set out a document with interpretations of ordinances without approval of Plan Commission.

VII. New Business –

- A. 20 S. Pleasant – Resident appears. Resident is also a contractor. Resident appeals fine of \$750.00 for permitting work to be done on Sunday and holiday weekend. Discussion about resident on Labor Day weekend (September 3, 2022) removing logs and on Sunday (September 11), removing construction equipment by subcontractor. Resident informed that he is responsible for his subcontractors complying with ordinance and resident was aware based on multiple incidents. Resident asks for reduction in fine. Motion Lies, second Williford to deny request for reduction. Motion approved.
- B. 712 E. Wilson – Resident appears after site visit by Chairman and Building Commissioner to view soil erosion on driveway and water flowing to east side of property, including a slurry created by the mixing of construction materials. Committee asks about how resident will address drainage. Resident advised he has contacted a professional engineer, Charlie Ray, at Duneland Group, who will submit a report to address the driveway issue regarding water runoff, downspouts, slurry along the driveway and erosion. Committee will review submission and discuss at next meeting.
- C. 11 S. Broadway – Resident appears. There is an open permit application. At the Committee meeting on August 13, 2022, the Committee agreed to waive its rule that resident submit three sets of stamped and signed drawings from a licensed engineer. An issue has arisen as to whether the property is commercial property before a residential permit can be issued. The Committee does not have the authority to determine whether this is commercial property subject to State registration, so Building Commissioner sent resident's documentation to the Indiana Department of Homeland Security (DHS). The DHS determined that it is commercial property, resident must remove conditions that make it commercial property before permit can be issued or submit plans to the state first. Resident states that she is a single mother who pays all her own bills and that the permit process is costing her money. Committee advises that it must comply with Indiana law relating to commercial property. Committee asks questions regarding whether there are multiple kitchens in the structure, that there is no septic system on the lot where permit is being requested, an apartment at the back of the property. Resident advised that in order to complete the permit process 1) resident will confirm with DHS that the property is not commercial property and, if so, address any issues regarding commercial property; and 2) receiving an opinion from the Town attorney as to whether a permit can be approved for the structure on the lot if there is no septic system on the lot.

VIII. Old Business – None.

IX. Discussion – None.

X. Adjournment – Motion Lies, second Williford, to adjourn. Motion approved. Meeting adjourned at 10:13 a.m.

Sarah York
11/12/2022