

Town of Clear Lake Plan Commission
Meeting Minutes – May 4, 2022

Plan Commission President Dan Rippe called the meeting to order at 7:00pm.

There were 15 residents in attendance (see attached sign in sheet) and 1 via phone conference (see attached sheet).

Members introduce themselves:

Larry Lillmars, Zoning Administrator
Jim McClain, 1226 Quiet Harbor
Jessica Swander, 7382 East State Road 120
Bill Hanna, 208 West Clear Lake Drive
Dan Rippe, 126 Lakeside Court
George Schenkel, 144 West Clear Lake Drive
Jim Hauguel, 154 West Clear Lake Drive
Mike Hawk, Attorney to the Plan Commission
Jennifer Smith-Sattison, Town Clerk

D. Rippe asked for a motion to approve minutes with corrections from February 1, 2022, Plan Commission meeting.

Motion by: B. Hanna

To approve minutes with corrections from February 1, 2022.

2nd by: J. Hauguel

All in favor, say I. Vote was unanimous. Motion carried; minutes from February 1, 2022, approved with corrections.

G. Schenkel commented on the website and the feedback forms, and if written letters are still acceptable.

L. Lillmars stated that public feedback is only accepted on the provided feedback forms. There will be printed out feedback forms available at the Town Hall and they will need to be turned in a few days ahead of time, forms not turned in afterward or on the day of the meeting will need to be presented by the originator to the commission members.

L. Lillmars read and discussed the changes and unintended consequences to UDO 2018-1.

PC members discussed ILP's with multiple lots, that they are required to do a consolidation, and size limitations of the lot.

D. Rippe entertained a motion to open for public comment.

Motion by: G. Schenkel

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

No public comments.

D. Rippe entertained a motion to close public comment.

Motion by: J. Hauguel

To close public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-1 to council for passage.

Motion by: J. Swander

To send UDO change 2018-1 to council with a favorable recommendation.

2nd by: J. McClain

All in favor, say I. Vote was unanimous. Motion carried to send UDO change 2018-1 to council for passage.

L. Lillmars read and discussed the changes to UDO 2018-4 and read all feedback forms submitted by residents. (13 opposed forms and no support forms)

PC members discussed the garage second floor development of lights and electrical receptacles and changing the wording of the second floor, along with a better description in the UDO.

D. Rippe entertained a motion to open for public comment.

Motion by: J. McClain

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

J. Horrell discussed his reasonings for selecting risk to personal safety on the feedback form.

D. Rippe explained the unintended consequences assessment and categories.

B. Hill discussed why the objectives are doing away with the limitation on the number of lights and outlets. Why are we going through these changes unless the objectives have changed?

D. Rippe stated that the changes were brought to the council in November and have remained unchanged and the change approval process was improved by adding the unintended consequences.

Residents discussed changing the wording of the second floor, being clearer about what is allowed on the second floor and why residents may need more electrical outlets and light fixtures.

D. Rippe entertained a motion to close public comment.

Motion by: G. Schenkel

To close public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-4 to council for passage.

Motion by: G. Schenkel to send UDO change 2018-4 to council with an unfavorable recommendation.

To deny UDO change 2018-4 to council for passage.

2nd by: J. Hauguel

All in favor, say I. 4 ya's and 2 nays' oppose denying UDO change 2018-4. Motion carried; to send UDO change 2018-4 to council with an unfavorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-8.

B. Hanna asked about the resident's grinders that don't have the easement and if they are being notified about having to adjust.

D. Rippe answered yes.

D. Rippe entertained a motion to open for public comment.

Motion by: G. Schenkel

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

No public comments.

D. Rippe entertained a motion to close public comment.

Motion by: J. McClain

To close public comment.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-8 to council with a favorable recommendation.

Motion by: J. Hauguel

To send UDO change 2018-8 to council for passage.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried to send UDO change 2018-8 to council with a favorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-9.

J. Swander commented about liking that there is no landscaping around the grinder pumps because she saw firsthand how difficult it is for Guy, when he has a sewer emergency and must chop down the resident's bushes, flowers, or trees.

D. Rippe entertained a motion to open for public comment.

Motion by: J. Hauguel

To open for public comment.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

K. Schenkel asked what they mean by an accessory structure.

PC members explained that it is a building or a shed, not attached to the primary structure.

D. Rippe entertained a motion to close public comment.

Motion by: G. Schenkel

To close public comment.

2nd by: J. Hauguel

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-9 to council with a favorable recommendation.

Motion by: G. Schenkel

To send UDO change 2018-9 to council with a favorable recommendation.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried to send UDO change 2018-9 to council with a favorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-13

D. Rippe entertained a motion to open for public comment.

Motion by: G. Schenkel

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

No public comment.

D. Rippe entertained a motion to close public comment.

Motion by: G. Schenkel

To close public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

Attorney M. Hawk suggested adding BZA after Plan Commission on numbers 1, 2 and 12 to the wording of 2018-13.

D. Rippe entertains a motion to send UDO change 2018-13 with corrections to council with a favorable recommendation.

Motion by: B. Hanna

To send UDO change 2018-13 with corrections to council with a favorable recommendation.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried; to send UDO change 2018-13 with corrections to council with a favorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-18.

PC discussed verbiage and the addition of symbols with verbiage.

D. Rippe entertained a motion to open for public comment.

Motion by: G. Schenkel

To open for public comment.

2nd by: J. Hauguel

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

No public comments.

D. Rippe entertained a motion to close public comment.

Motion by: B. Hanna

To close public comment.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-18 as written with corrections to council with a favorable recommendation.

Motion by: B. Hanna

To send UDO change 2018-18 to council with a favorable recommendation.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried to send UDO change 2018-18 as written with corrections to council with a favorable recommendation.

L. Lillmars read and discussed the changes and unintended consequences to UDO 2018-19.

D. Rippe entertained a motion to open for public comment.

Motion by: G. Schenkel

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

No public comments.

D. Rippe entertained a motion to close public comment.

Motion by: G. Schenkel

To close public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-19 to council with a favorable recommendation.

Motion by: J. Hauguel

To send UDO change 2018-19 to council with a favorable recommendation.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried to send UDO change 2018-19 to council with a favorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-21.

D. Rippe entertained a motion to open for public comment.

Motion by: G. Schenkel

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

No public comments.

D. Rippe entertained a motion to close public comment.

Motion by: G. Schenkel

To close public comment.

2nd by: J. Hauguel

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

Attorney M. Hawk suggested adding the definition of the main outside corner.

D. Rippe entertained a motion to send UDO change 2018-21 as written with condition of the definition will be created for the main outside corner to council with a favorable recommendation.

Motion by: B. Hanna

To send UDO change 2018-21 to council with a favorable recommendation.

2nd by: J. Hauguel

All in favor, say I. Vote was unanimous. Motion carried to send UDO change 2018-21 as written with condition of the definition created for the main outside corner to council with a favorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-22.

J. Hauguel discussed generators and how the size limitation may become obsolete as they tend to change so quickly.

L. Lillmars stated they have not had any close calls with the sizing.

D. Rippe entertained a motion to open for public comment.

Motion by: G. Schenkel

To open for public comment.

2nd by: B. Hanna

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

J. Wilhelm, 206 East Clear Lake Dr., suggested adding a variance for 6 inches plus on the dimensions.

D. Rippe entertained a motion to close public comment.

Motion by: G. Schenkel

To close public comment.

2nd by: J. Hauguel

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe suggested that minor deviations be approved by the Zoning Administrator.

PC Members and Attorney M. Hawk discussed adding the Zoning Administrator be allowed to approve minor deviations.

D. Rippe entertained a motion to send UDO change 2018-22 as written with requested verbiage to allow the Zoning Administrator latitude for minor deviations to council with a favorable recommendation.

Motion by: J. Hauguel

To send UDO change 2018-22 to council with a favorable recommendation.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried to send UDO change 2018-22 as written with requested verbiage to allow the Zoning Administrator latitude for minor deviations to council with a favorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-33.

PC Members agreed with the consistency with Steuben County.

L. Lillmars asked about additional fees after the 12 months.

PC members discussed the fees after the 12 months. As of right now there are no cost extensions. They would like to revisit the additional fees at a later meeting.

D. Rippe entertained a motion to open for public comment.

Motion by: J. Hauguel

To open for public comment.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

Resident agreed with not having any fee extensions because of all the supply chain issues.

D. Rippe entertained a motion to close public comment.

Motion by: G. Schenkel

To close public comment.

2nd by: B. Hanna

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertains a motion to send UDO change 2018-33 to council with a favorable recommendation.

Motion by: G. Schenkel

To send UDO change 2018-33 to council with a favorable recommendation.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried to send UDO change 2018-33 to council with a favorable recommendation.

New Business – Resolution 04-2022

D. Rippe discussed that because the Indiana State Board of Health removed the health crisis due to covid, we now require a resolution for members and residents to participate in Plan Commission meetings electronically.

PC Members discussed electronic attendance.

B. Hanna read Resolution 04-2022 aloud in its entirety.

D. Rippe entertained a motion to read Resolution 04-2022 by title only.

Motion by: J. McClain

To read Resolution 04-2022 by title only.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried to read Resolution 04-2022 aloud in its entirety.

B. Hanna read Resolution 04-2022 aloud by title only.

D. Rippe entertained a motion to pass Resolution 04-2022 as written.

Motion by: G. Schenkel

To pass Resolution 04-2022 as written.

2nd by: J. Hauguel

All in favor, say I. Vote was unanimous. Motion carried to pass Resolution 04-2022 as written.

PC Basics – Training

G. Schenkel talked about training for PC members and the deficiencies in the Clear Lake PC rules of procedure compared to the Indiana Chapter.

PC members and Attorney M. Hawk discussed deficiencies and sending to the executive meeting.

PC Rules & Procedures

L. Lillmars read through corrections.

PC commented about posting meetings to the Clear Lake General Store and adding an address to all places where meetings are posted.

D. Rippe entertained a motion to accept changes and add addresses.

Motion by: G. Schenkel

Motion to accept changes to the Plan Commission Rules of Procedure as written and adding addresses to all places where meetings are posted.

2nd by: B. Hanna

All in favor, say I. Vote was unanimous. Motion carried to accept changes to the Plan Commission Rules of Procedure as written and adding addresses to all places where meetings are posted.

D. Rippe discussed that the Roger Rules of Order will be our guide by which meeting minutes will be generated going forward.

PC members discussed the capabilities of zoom include a video recording which will be available to the public with a public information request.

D. Rippe entertained a motion to adjourn meeting.


Motion by: J. Swander

To adjourn meeting.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried to adjourn meeting.

Meeting adjourned at 9:24pm.



Dan Rippe, Plan Commission President



Attest: Jennifer Smith-Sattison, Clerk