

**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
JANUARY 11, 2020**

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

Roll call:

Present: David Wagner, Chairman  
Mark Lies, Secretary  
John Mackin  
Scott Vlieg  
Steve Coughlin  
Charlie Ray, Building Commissioner  
Council Liaison, S. Loeb

- I. Roll Call. There is a quorum.
- II. Minutes – The minutes of the meeting of December 14, 2019 were approved unanimously.
- III. Building Commissioner Report  
Building Commissioner reports on status of active permits and projects and spread sheet distributed at meeting.
  - A. Building inspector reports on inspections conducted in previous month.
    1. 4 Pleasant – framing, extension granted to owner.
    2. 108 W. Fairwater – Building Commissioner Pro Tem Mackin reports on letter sent to owners with fines authorized at last meeting for violating ordinance relating to location of foundation and septic.
    3. 49 Oval – Review of progress of installing framing panels and NIPSCO installation.
    4. Trees – report on removal of trees and compliance with ordinance by various owners and contractors. Building Commissioner is preparing a revised tree removal ordinance.
  - B. Communications received from residents.
    1. Questions about ordinances – none
    2. Questions for procedures to add or remodel – none.
  - C. New Permits on the horizon.
    1. Remodel – none.
    2. New homes – 41 S. Oval – Lake Front, the lot is buildable.
    3. New addition construction – none.
    4. Demolition – none.
- IV. New Permit Applications.
  - A. 41 S. Oval – New house construction. Owners appear, Michael and Rosemary McCurdy. Owners will act as General Contractor. Building Commissioner report on various additional actions that owners must take before permit *DSW 2-1*

can be approved. Motion Lies, second Mackin, to authorize Building Commissioner to approve permit subject to submission of additional information to Building Commissioner for (1) elevation drawings for site no IDAR to be used, (2) height of the structure, (3)

location of silt fence, (4) location of the retaining wall. Motion approved unanimously.

- B. 806 E. Vera – garage remodel – Building Commissioner approved.
- C. Trees – 105 E. Neptune, 403 E. Roberts, Building Commissioner reports on removal of trees.

V. Public Comments.

Discussion of US Park Service actions to control beach and dune erosion control process on East end of Lake Front Drive and possible action on West End.

VI. Old Business.

- A. 11 Drexwood – Building Commissioner reports on potential use of sand from 41 Oval to repair right of way damaged by residents. Discussion regarding storage of sand from projects within Town for use on other projects in Town.
- B. 11 Lake Front – Building Commissioner reports that the screens in front of the windows can present a fall hazard when windows are open, recommend installation of handrail. Building Commissioner will discuss with M. Ganz when he returns to Town, no occupancy will be granted until windows are secure.
- C. 49 Oval – NIPSCO cut on road. Discussion about damage to road caused by NIPSCO to locate water line and fiber optic cables for installation of services.  
NIPSCO must use hot mix asphalt to repair damage.
- D. 1 W US 12 – (Lights, parking, septic). Building Commissioner reports that lights have not been changed. Owners were provided information on correct lights at last meeting. Owners need to install new water meter to determine water usage and use of septic system.

VII. Discussion.

Discussion about status of beach erosion at the East end of Lake Front Drive and potential locations. Discussion about Building Commissioner preparing accurate zoning maps for the Town and the fact that there are no current accurate zoning maps. Discussion about definitions for various categories of zones for single or multi-family residents and potential future liability issues with real estate development if the definitions are not clarified and published. The new zoning map will clarify definitions and locations.

- VIII. Adjournment. Motion Lies, second Vliek, to adjourn meeting. Motion approved unanimously. Meeting adjourned at 10:25 a.m.





**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
FEBRUARY 8, 2020**

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

Roll call:

Present:           David Wagner, Chairman  
                      Mark Lies, Secretary  
                      John Mackin  
                      Scott Vliek  
                      Margaret Williford  
                      Charlie Ray, Building Commissioner  
                      Council Liaison, S. Loeb

- I. Roll Call. There is a quorum.
- II. Minutes – The minutes of the meeting of January 11, 2020 were approved unanimously.
- III. Building Commissioner Report  
Building Commissioner reports on status of active permits and projects and spread sheet distributed at meeting.
  - A. Inspections conducted in previous month.
    1. 5 Pleasant – drywall being installed.
    2. 4 Pleasant – the new General Contractor, Paul Coram, appeared to address the Committee. He reported on his qualifications. He advised on the status of the project, corrections made to work performed by prior contractor to comply with approved specifications. Committee advised him on several issues regarding the project, including damage to road that needs to be repaired, location of septic field, access to the site, removal of construction waste container, parking of construction vehicles, scheduling of road blockage. Committee informed contractor that the original construction permit will expire and new permit application will have to be resubmitted with payment of application fees.
    3. 108 W Fairwater – Building Commissioner Pro Tem Mackin, reports on structural framing completed, windows installed, partial installation roofing membrane. There may be issues with shooting the concrete in the swimming pool. The homeowner has paid the prior fines levied by the Committee for violations.
    4. 49 Oval – Building Commissioner reports on installation of framing panels and that NIPSCO utilized horizontal boring under the road to install utilities and did not have to cut the road.
  - B. Communications Received from Residents
    1. Questions about ordinances – none.
    2. Questions for procedures to add on or remodel – none.
  - C. New Permits on the Horizon
    1. Remodel – homeowners have contacted building commissioner with questions. *JSW*

2. New home – 41 Oval Building Commissioner Reports that homeowners will act as General Contractor.
3. New addition – Michael Ganz reports on new addition.
4. Demolition – Discussion regarding structure at 302 East Myrtle, house cannot be restored and will be subject to demolition under safe home ordinance.

IV. New Permit Applications.

- A. 41 S. Oval – Commission approved permit subject to satisfying contingencies.

V. Public Comments.

No public comments.

VI. Old Business.

A. 11 Drexwood – Building Commissioner reports on potential status of unauthorized removal of sand for parking spaces. The homeowner has been fined by the Committee and has not paid the fines or repaired the damage. Matter has been referred to town attorney to collect fines.

B. 11 Lake Front – Building Commissioner reports on status “Eze Breeze Windows” which represent a fall hazard. Building Commissioner will send letter to owners that fall protection must be installed before a certificate of occupancy will be issued.

C. 49 Oval – Building Commissioner reports that NIPSCO did not cut road for installation and used horizontal boring.

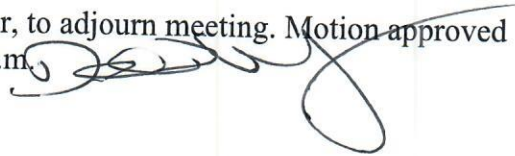
D. 1 W US 12 – Michael Ganz reports that approved parking lot lights are on order and that water meters have been installed to measure water usage for septic systems to confirm compliance with permit. NIPSCO has been contacted for a schedule to install lights.

VII. Discussion.

A. Proposed Ordinances – Steep slope, trees, fence – Building Commissioner reports on proposed revisions and clarifications to ordinances including prohibiting septic systems, construction equipment, or other structures in the property setbacks. Building Commissioner reports on revisions to process relating to methods to measure trees and process to approve removal of trees and to protect trees from damage during construction.

B. Zoning Map – Building Commissioner reports that the current zoning map is accurate but should be confirmed to avoid future issues relating to property ownership and issuance of permits.

VIII. Adjournment. Motion Lies, second Wagner, to adjourn meeting. Motion approved unanimously. Meeting adjourned at 10:05 a.m.





**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
MARCH 14, 2020**

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

Roll call:

Present: David Wagner, Chairman  
Mark Lies, Secretary  
John Mackin  
Scott Vliek  
Charlie Ray, Building Commissioner  
Council Liaison, S. Loeb

- I. Roll Call. There is a quorum.
- II. Minutes – The minutes of the meeting of February 8, 2020 were approved unanimously.
- III. Building Commissioner Report  
Building Commissioner reports on status of active permits and projects and spread sheet distributed at meeting.
  - A. Inspections conducted in previous month.
    1. 5 Pleasant – Meeting with builder to discuss roof and other corrections before proceeding.
    2. 4 Pleasant – Soffits and tile installed.
    3. 108 W Fairwater – J. Mackin, Building Commissioner Pro Tem, reports on mold issues to be addressed before roof installation. Reports an issue with delivery truck from Gunnitte installation for pool on Lake Front Drive.
    4. 49 Oval – Framing in progress.
    5. 41 Oval – Discussion of installation of foundation and plumbing. Inspection of underground plumbing and framing.
  - B. Communications Received from Residents
    1. No communications.
  - C. New Permits on the Horizon
    1. Remodel – Nothing to report.
    2. New home – Lake Front Drive. No permit has been applied for on two lots. Suzanne from Duneland Group spoke to owners regarding new construction including paving the entire frontage of the property and need for percolation test.
    3. New addition – Report on potential addition to property.
    4. Demolition – Discussion that house at 302 E Myrtle is in condition that should be demolished.
- III. AT&T – Discussion on installation of fiber optic system down Broadway and Lake Shore County Road. It is unclear where the installation would be placed, but would be...

AT&T to confirm what work will be done and inform AT&T of the load limitations on Lake Front Drive.

V. AT&T Utilities – Building Commissioner approved. See above.

VI. Public Comments.

A. 11 Drexwood – Owner has still not corrected violations including filling in excavations. Violations will be referred to Town attorney.

B. 11 Lake Front – Building Commissioner will check on fall protection in front of windows.

C. 1 W US 12 – Exterior lights have still not been mounted, owner waiting for NIPSCO to install the lights.

VII. Discussion – Proposed ordinances. Discussion about requirements for fences and the need to have more specific standards regarding the size, space occupied by fence, opacity. Council Liaison S. Loeb discussed need to identify the intent of the fencing ordinance to be interpreted in accordance with the Town vision so that the fences do not detract. Chairman Wagner discusses that the Plan Commission needs to look at the steep slope, tree and fence ordinances in light of the Town's intent for these ordinances. The Plan Commission is responsible to review these ordinances, to reorganize and clarify them.

Commissioner Mackin reports on property in Route 12 that he is considering developing for 3 studio apartments and one residence. He was recommended to review ordinance 155.106.

VIII. Adjournment – Meeting adjourned at 9:40 am.

A handwritten signature in black ink, appearing to be "S. Loeb", is written over the text of item VIII. The signature is stylized and extends to the right, crossing over the end of the sentence.

**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
JULY 11, 2020**

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

Roll call:

Present:       David Wagner, Chairman  
                  Mark Lies, Secretary  
                  John Mackin  
                  Scott Vlieg  
                  Margaret Williford  
                  Charlie Ray, Building Commissioner  
                  Council Liaison, S. Loeb

- I. Roll Call. There is a quorum.
- II. Minutes – The minutes of the meeting of March 14, 2020 were approved unanimously.
- III. Building Commissioner Report  
    Building Commissioner reports on the following:
  - A. List of active permits/project status
  - B. Inspections conducted in previous months
    1. 5 Pleasant – final
    2. 4 Pleasant – framing under construction
    3. 108 W. Fairwater – Building Commissioner Pro Tem John Mackin reports on inspection of utility, electrical, mechanical systems approved. Specifications for sidewalk, walkway and guardrails required by July 15, 2020.
    4. 49 Oval – final
    5. 41 Oval – final
    6. 708 Vera – rough
    7. 801 Wilson – inside final
    8. 20 Drexwood – rough
    9. 117 Lake Front – driveway
    10. 411 E. Lake Front – driveway
    11. 806 Vera – garage 2<sup>nd</sup> floor
    12. Trees
  - C. Communications from residents
    1. Questions about ordinances. Resident Mark Weber reports on possible ordinance violations on adjacent property at 4 Pleasant regarding structure height restrictions. Owner was permitted to construct stairs to roof to access HVAC units. Owner removed HVAC units from roof and installed at ground level and there is no reason for the staircase and roof opening. It is also reported that owner and other individuals accessed the roof. Discussion about violation of the original

*Don*



specifications that were approved and never returned to the Committee to report on relocation of the UVAC units and that the staircase was no longer necessary to access the roof. After further discussion, motion Lies, second Vliek, to require owner to remove the staircase to the roof and hatchway as no longer required to access the HVAC units which were originally approved as no longer required and owner required to submit amended drawing showing removal of the staircase and hatchway. Owner also required to pay \$500 fine for failure to not return to the Committee to report the removal of the HVAC units and submit revised specifications. Motion approved unanimously.

2. Questions for procedures to add on or remodel. None.

D. New permits on the horizon. Nothing to report.

1. Remodel (1)

2. New homes (3)

3. New construction (1)

#### IV New permit applications

A. 707 E. Rogers – fence

B. 20 S. Drexwood – deck and fence

C. 19 S. Oval – driveway

D. 31 S. Lake Shore County Rd. – row excavation

E. 302 E. Myrtle – demolition

F. 417 E. Lake Front – demolition

G. 807 E. Vera – remodel

H. 411 E. Lake Front – driveway

I. 120 S. Montana – shed – being reviewed

J. 117 W. Lake Front – driveway

K. 31 S. Lake Shore County – septic

L. 26 S. Oval – utility

M. 19 S. Greatwater – shed

N. Trees – 102 Wells, 1 W. Marne, 3 S. Palmer, 380 E. St. Clair, 31 S. Lake Shore County Rd., 28 S. Beach, 34 S. Merrivale, 15 S. Merrivale, 102 Wells.

#### V. Public Comments

#### VI. Old Business

- A. 11 Drexwood – Discussion regarding owner failure to remediate excavation of dune. Owner has failed to pay the fines of \$250 assessed by the Committee. Motion Lies, second Vliek, to increase fine to \$500 and to have attorney send a letter to owner to pay the fine and if it is not paid to record a lien on the property.
- B. 4 Pleasant – The discussion of this property and Committee action is set out above.
- C. 1 W US 12 – Owner appears by telephone to request a permit for parking spaces. Susan Loeb represents that the Town Council approved a drawing (A 4390) that shows 21 spaces, but only shows 19 spaces which do not meet the bulk dimensions in the town ordinance. Committee indicated that it would not approve a permit and that the owner should submit three copies of legible



drawings in sufficient time prior to the next meeting to allow the Committee to review them for compliance. Owner indicated that she would submit revised drawings.

VII. Discussion – Committee received letter from a relative of a resident adjoining the property at 5 Pleasant complaining about the duration of the project and work being done at certain times between 7 am. and dusk. Committee received the complaint and its investigation that indicated that the work was performed within the timeframes of the ordinance for construction work. Discussion among Committee regarding potential changes to ordinances regarding the periods during which construction can occur, including holidays, day time hours and that the Planning Commission may wish to consider such changes.

VIII. Adjournment – Motion Lies, Second Vlieg to adjourning. Motion approved unanimously. Meeting adjourned at 9:50 a.m.

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**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES**

**MARCH 14, 2020**

August 12, 2020

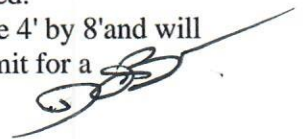
The meeting was called to order at 8:30 a.m. at the Administration Building.

Roll call:

Present: David Wagner, Chairman  
Scott Vlieg (Minutes)  
Margaret Williford  
Charlie Ray, Building Commissioner  
Council Liaison, Susan Loeb

Not present: Mark Lies, Secretary  
John Mackin

- I. Roll Call. There is a quorum.
- II. Minutes – The minutes of the meeting of July 11, 2020 were approved unanimously.
- III. Building Commissioner Report: Building Commissioner reported on the status of active permits and projects on the spread sheet distributed at meeting.
- IV. Inspections conducted in previous month.
  1. 4 Pleasant – Rough inspection
  2. 108 W Fairwater – discussed below
  3. 807 Vera – Rough inspection
  4. Two tree removal permits were approved
- V. Communications Received from Residents
  1. Questions about ordinances
  2. Questions about procedures to add on or remodel
- VI. New Permits on the Horizon
  1. Remodel – 2
  2. New homes – 3
  3. New construction – 1
- VII. New permit applications
  1. 19 S. Greatwater – shed, requires a variance
  2. 716 E. Wilson – deck - approved
  3. 716 E. Wilson – driveway
  4. Trees – 102 Wells, 5 S. Pleasant, 716 E. Wilson
- VIII. Public Comments. - none
- IX. Old business none
- X. Discussions
  1. 1 E US12 – This a remodeling project that will not involve structure but electrical and plumbing will be reconfigured. Also, approval for the septic is needed.
    1. Owners requested a permit for a temporary sign. The sign will be 4' by 8' and will meet code (155.110). Williford made a motion to approve a permit for a





**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
SEPTEMBER 14, 2020**

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

Roll call:

Present:       David Wagner, Chairman  
                  Mark Lies, Secretary  
                  John Mackin  
                  Scott Vlieg  
                  Margaret Williford  
                  Charlie Ray, Building Commissioner  
                  Council Liaison, S. Loeb

I. Roll Call. There is a quorum.

II. Title VI Notification

III. Minutes – The minutes of the meeting of August 8, 2020 were approved.

IV. Building Commissioner Report

Building Commissioner reports on the following:

A. List of active permits/project status

B. Inspections conducted in previous months

1. 31 S. Lake Shore County Rd.

2. Trees

C. Communications from residents

1. Questions about ordinances - none

2. Questions for procedures to add on or remodel - none

D. New permits on the horizon.

1. Remodel (2)

2. New homes (3)

3. New construction (1)

IV New permit applications

A. 31 S. Lake Shore County Rd – shed – Building Commissioner approved

B. 15 W. Lake Front – remodel – Building Commissioner approved

C. 338 E. St. Clair – gazebo – Building Commissioner approved

D. Trees – 716 E. Wilson, 706 E. Rogers, 112 Neptune, 4 S. Greatwater, 2 S. Oval

V. Public Comments - none

VI. Old Business

A. 1 E US 12 – Commercial remodel. Building Commissioner reports on the plans for the project that have been scaled back. He is satisfied with the sizing of the project on the property. Owner was present and made a presentation about the proposed usage and tenants in the structure, as well as the proposed number and location of parking spaces. There was an extensive discussion about the ordinance requirements for parking spaces required per the square footage of the structure and a potential conflict between ordinances based on gross square footage of the structure versus usable square footage. Motion Lies, second Williford, to approve issuance of permit on conditional basis subject to owner resubmitting drawings that designate six additional parking spaces to the south of the structure on the owner's property and off of the alley. Motion approved unanimously.

B. 1 W US 12 – Goblin and Grocer parking. Discussion about the number of parking spaces. Motion Lies, second Williford, to deny the owner's application for a permit at this time because the drawings of the parking lot do not designate the number of spaces required for the square footage that must be on the owner's property. Motion passed unanimously.

## VII. Discussion

A. 716 E. Wilson – driveway. Owner's permit request to enlarge driveway was rejected by the Building Commissioner. Owners appear and discuss the plans for the driveway to allow a clear path from their home to the street. Discussion about the proposed bump-out measurements for the driveway. Owners requested to submit revised drawings. Owners will not be required to apply or pay for a new permit.

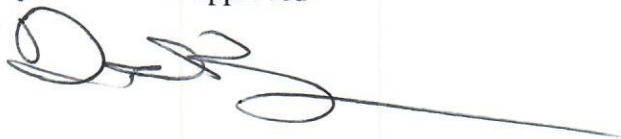
B. 11 Drexwood – Chairman Wagner reports that the roadway surface is spalling in certain areas and will have to be repaired.

C. 4 Pleasant – expansion. Building Commissioner reports that owner has presented new drawings for an addition that were not included in original drawings. The Committee will take information from owner and residents and review. Residents present concerns that the proposed addition will not comply with several ordinances, including bulk regulations for the property, height restrictions on structures, exceeds recognized building codes for structure height using timber framework, creates safety hazards for persons on the roof without fall protection and creates potential Town liability for permitting use of the roof without fall protection. Resident reports that structure is advertised by architect as "Treehouse" with roof top views of the lake. Resident reports that owner and other persons have been observed on the roof. Resident reports that use of roof as a deck can also exceed the structural load limitations for type of structure. Further discussion that minutes of Committee at time of approval of original permit indicated that owner represented that the roof would not be used as a roof deck and that stairs and roof top hatch would only be used for access to maintain roof top HVAC units. The HVAC units have now been relocated to ground level so stairwell and hatch are no longer required or approved. Committee informed that owner is going to the BZA to appeal the Committee's earlier motion to require removal of the stairs and hatch after HVAC was removed and Committee imposed fines for violation of original permit and not submitting revised drawings. The appeal is set for the BZA meeting on September 24, 2020.

D. Any other items that may concern the Committee – no further matters.



VIII. Adjournment – Motion Lies, Second Vliek to adjourn. Motion approved  
unanimously. Meeting adjourned at 10:35 a.m.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
OCTOBER 10, 2020**

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

Roll call:

Present: David Wagner, Chairman  
Mark Lies, Secretary  
John Mackin  
Scott Vliek  
Margaret Williford  
Charlie Ray, Building Commissioner  
Council Liaison, S. Loeb

- I. Roll Call. There is a quorum.
- II. Title VI forms are available online
- III. Minutes – The minutes of the meeting of September 14, 2020 were approved.
- IV. Building Commissioner Report  
Building Commissioner reports on the following:
  - A. List of active permits/project status
  - B. Inspections conducted in previous months
    1. 806 E. Vera – project is roughed in.
    2. 716 E. Wilson – project is roughed in.
    3. 31 S. Lake Shore County – project is roughed in.
    4. 108 Fairwater – Misra Residence – John Mackin
    5. xxx E. Lake Front Dr. – Taylor Garage – John Mackin
  - C. Communications from residents
    1. Questions about ordinances - none.
    2. Questions for procedures to add on or remodel - none.
  - D. New permits on the horizon.
    1. Remodel (2)
    2. New homes – Building Commissioner has received drawings on new homes being planned.
    3. New construction (1)
- V. New permit applications
  - A. 3 S. Greatwater – Building Commissioner approved permit for windows.
  - B. 101 S. Broadway – Building Commissioner approved remodel.
  - C. Trees – Building Commissioner approved removal of trees – 205 S. Broadway, 205 Dewitt, 3 S. Hutchinson, 15 S. Shore, 716 E. Wilson





VI. Public Comments

716 Wilson – Owner’s permit will be approved to remove a tree and certain soil.

VII. Old Business – None.

VIII. Discussion

A. Any other items that may concern the Committee.

Building Commissioner submitted an attachment to the agenda entitled Ordinance Areas of Concerns, dated October 3, 2020. Attachment is incorporated and made a part of the minutes. The Areas of Concerns include current ordinances relating to the 1) steep slope; 2) Section 155.138 Driveways; 3) Section 155.086 Accessory Uses – Fences; 4) Section 155.064 – Tree Preservation. In addition, Building Commissioner also raised issue relating to requiring all contractors to be registered and to improve insurance coverage.

The Building Commissioner presented on each Area of Concern. The Committee engaged in general discussion with Building Commissioner about each Area of Concern.

1. Steep Slope

Building Commissioner recommends that Steep Slope definition should be clarified in terms of the angle of the slope and how it is calculated on the dune. In addition, there should be clarification of a number for the amount of the percent coverage of the steep slope on a piece of property which limits the permissive size of the structure on the property. Further, there should be a number that defines and limits the permissible amount of cubic yards of earth that can be moved on a site in order to permit construction of the structure.

The Committee discussed these various recommendations as to how to calculate the angle of the steep slope, the percentage of property that could be designated as steep slope as a basis for determining whether a structure can be constructed on the property and the size of the structure and how much soil can be removed from a dune in order to allow a structure to be constructed.

Discussion regarding any concept of “a number for the amount of percentage coverage of steep slope on a property” as a factor in evaluation of a property for construction of a building. Discussion whether the proposed concept is either:

- a. of no consequence and complicates the issue, or
- b. is just another complication that does not address the real issue, which is when construction is proposed on a steep slope.

That issue seems to be addressed in concept, if not in terms agreed to, by regulation of the amount of excavation proposed by Building Commissioner.

Discussion whether “driveways” that “affect a steep slope” need to be considered, defined and regulated in the section under “Driveways.”

2. Driveways

Building Commissioner presented recommendations to confirm the permissible width of driveways, the surfacing for the driveway, drainage of the driveway, structural considerations for curbs or guardrails on driveways to prevent vehicles from running off the driveway and the type of paving that should be required at the end of the driveway.

The Committee discussed these various recommendations.

3. Accessory Uses – Fences

Discussion about fences that would be visible from the street vs. fences that are not, but are only visible by neighbors. Another concern is the degree of opacity of a fence between neighbors in consideration of openness of country, wooded sites.

The Building Commissioner presented recommendations that the requirements for the materials of construction of the fences be defined as well as clarify the percentage of the fence that must be “open” and the “opacity” of the fence.

The Committee discussed these various recommendations.

4. Tree Preservation

The Building Commissioner discussed concerns about what has occurred where owners have clear cutting vegetation that can result in erosion of the dune. He also discussed requiring owners to replace trees that have been unnecessarily removed.

The Committee discussed these various recommendations.

5. Building Commissioner also recommended that all contractors need to be registered in order to prove that they have required insurance coverage to protect owners from potential liability lawsuits when contractor employees are injured. He recommends lowering the licensing fee to encourage registration and as a source of increased revenue from more registrations.

The Committee discussed the Building Commissioner’s recommendations.

The Committee agreed to further discuss the Building Commissioner's Recommendations and develop specific proposals to the Planning Commission.

- IX. Adjournment – Motion Lies, second Williford to adjourn. Motion approved unanimously. Meeting adjourned at 10:28 a.m.

A handwritten signature in black ink, appearing to be "D. L. Williford", written over the end of the text in item IX.



**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
NOVEMBER 14, 2020**

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

Roll call:

Present:       David Wagner, Chairman  
                  Mark Lies, Secretary  
                  John Mackin  
                  Scott Vliek  
                  Margaret Williford  
                  Charlie Ray, Building Commissioner  
                  Council Liaison, S. Loeb

- I. Roll Call. There is a quorum.
- II. Title VI forms are available online
- III. Minutes – Approval of the minutes of the meeting of October 10, 2020 were deferred until December meeting to allow revision.
- IV. Building Commissioner Report  
    Building Commissioner reports on the following topics:
  - A. List of active permits/project status
  - B. Inspections conducted in previous months
    1. 4 Pleasant – elevator. Building Commissioner reports owner want to add new structure.
    2. 5 Pleasant – general
    3. 31 Lakeshore – final shed
    4. 15 W. Lake Front – remodel
    5. 1 E Dunes Highway – Building Commissioner reports on status. Chairman Wagner reports that permit is void and directs Building Commissioner to send a letter notifying owner that permit is void.
    6. 108 Fairwater – Member Mackin reports project is moving slowly. Permit may expire. Discussion whether permit should be extended because road was shut down due to construction on lakeshore.
  - C. Communications from residents
    1. Questions about ordinances – Building Commissioner reports on communications from residents whether lots are buildable. He does not render an opinion and recommends that they consult with an engineer.
    2. Questions for procedures to add on or remodel - none.
  - D. New permits on the horizon.
    1. Remodel (1)

2. New homes – (2)
3. New construction (2)

V. New permit applications

- A. 527 Lake Front – driveway – go to Town Council
- B. 809 Millicent -
- C. 21 W. Lake Front – replace deck
- D. 309 E. Ripplewater – shed
- E. 28 S. Lakeshore County – pave driveway
- F. 115 S. Janeth – driveway
- G. 120 S. Montana – shed
- H. Trees – 11 E. Lake Front; 14 W. Bellevue; 15 S. Shore; 210 E. Brightwater; 201 Eaton; 418 E. Myrtle

VI. Public Comments – None.

VII. Old Business – None.

VIII. Discussion

- A. 116 Fairwater – new house. Discussion regarding drawings received. Driveway is too wide and direction affects steep slope adversely. Discussion about amount of fill under structure. Discussion about whether property is a duplex since it will be shared by two families and whether a duplex is permissible.
  - B. 4 Pleasant – Discussion about drawings for another structure. Committee will not review drawings until application fee is paid.
  - C. 104 E. Idler – Discussion about landscaping plan. It is well done and does not require Committee approval.
  - D. BZA ruling for 4 Pleasant – the proposal for the new structure meets square footage requirements. Drawings are available for review. Chairman Wagner appeared at BZA meeting and presented information on Committee's issuance of fines for removing HVAC condenser from roof and not informing Committee and failure to remove staircase and hatch to roof. BZA denied owner's appeal of fines. Owner has sixty days to complete removal of stairs and hatch. Architect contacted Chairman Wagner to inquire if HVAC condenser is installed on roof whether stairwell and hatch do not have to be removed. Architect will appear at December Committee meeting to discuss drawings for new structure and installation of HVAC condenser on roof.
  - E. Member Mackin inquired about discussion about steep slope at Planning Committee. Chairman Wagner reports that steep slope will be discussed at Planning Committee meeting on November 16, 2020, as well as other issues, including fences, driveways, tree preservation.
- IX. Adjournment – Motion Lies, second Vliek, to adjourn. Motion approved unanimously. Meeting adjourned at 9:09 a.m.



**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
DECEMBER 13, 2020**

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

Roll call:

Present: David Wagner, Chairman  
Mark Lies, Secretary  
John Mackin  
Scott Vliek  
Margaret Williford  
Charlie Ray, Building Commissioner  
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 meetings of October 10, 2020 and November 14, 2020 were unanimously approved.
- IV. Building Commissioner Report  
Building Commissioner reports on the following topics:
  - A. List of active permits/project status
  - B. Inspections conducted in previous months
    1. 4 Pleasant – Building Commissioner reports owner has not removed the roof hatch as ordered by the BZA and this Committee.
  - C. Communications from residents
    1. Questions about ordinances – Building Commissioner reports on communications from residents whether lots are buildable. He does not render an opinion and recommends that they consult with an engineer. Building Commissioner reports many new properties are coming up for review.
    2. Questions for procedures to add on or remodel - none.
  - D. New permits on the horizon.
    1. Remodel (1)
    2. New homes – (2)
    3. New construction (2)
- V. New permit applications  
Building Commissioner Reports:
  - A. 527 Lake Front – driveway to go to Town Council
  - B. 4 Pleasant – spa addition *DSW*



- C. 158 E. Ripplewater – driveway
- D. 116 W. Fairwater – new home
- E. 716 E. Wilson – apron and drive
- F. AT&T potholing utility locations
- G. Trees – 221 Stillwater, 208 E. Ripplewater, 704 Rogers

VI. Public Comments – Architect, Mark Weber, comments about work on three projects. Comments on “padding” of worksite raising the height of a dune. Comments about ordinances do not require that a permit be issued for a driveway for property.

VII. Old Business – None.

### VIII. Discussion

- A. Committee discusses comments from Building Commissioner, D. Wagner and J. Mackin who attended Plan Commission meeting on December 7, 2020. The Plan Commission was informed that the Committee is attempting to clarify and simplify ordinances in several areas.
  1. Building permits – confirm date when the permit commences and months allowed to complete project, for new construction (18 months), for remodel (12 months). If project is not completed in timeframe, a new permit must be obtained and fee paid. Discussion regarding doubling fee if not completed in time.
  2. Noise – confirm work generating noise is not permitted on Sundays, Holidays and after 6 p.m.
  3. Bulk regulations – place limitations on height of structures from 40’ to 35’ and how the height is calculated from various data points.
  4. Contractor registration – insurance requirements for registration to protect owners from liability, discussion of insurance coverage limits. Discussion that subcontractors be required to register with proof of insurance and payment of a nominal fee as opposed to the existing requirement of general contractor registration only.
  5. Trees and grounds – discuss removal of trees and vegetation on improved and unimproved property. Discuss requirement to replace trees that have been removed with other trees and vegetation. Discuss penalty structure for unapproved tree removal. Prohibit clearcutting of property to prevent erosion of the dunes and creating area for growth of invasive species.
  6. Fences – discussion about the type of permissible fencing regarding the materials, amount of visibility required through the fencing. Discussion about different requirements for perimeter fencing on property as opposed to a swimming pool, a patio or in the rear of the property.
  7. Driveway – discussion about limiting width of driveways to 13’, a 5’ radius at the end of the driveway for a turnaround. Discussion about requirements for driveway drains that will help prevent drains from filling with sand, consider requiring shaped drains to avoid having drains fill with sand.
  8. Roofs – discussion about height of the roofs and the requirement for

DSW

railings if there is a rooftop access for a deck. Discussion about including the minimum height of the railing (42") in calculation of height of structure. Discussion about property at 4 Pleasant with hatchway for roof access and there are no guardrails or other fall protection. Further discussion about data point for determining the height of the roof, measure from underground garage floor, measure the depth of the structure footings to determine the 35' height of structure.

9. Permits – discussion of revising permit fees using a percentage (2%) of the assessed value of the property.
10. 116 W. Fairwater – architect appears to discuss proposed plans and specifications. Discussion about issues regarding the existing depression shape of the dune, adding sand to “pad” and level the depressions in the dune to permit construction set out in plan. Discussion regarding the proposed driveway and the length and impact on the steep slope and amount of retaining wall. Discussion about location of structure adjacent to setback and whether construction activity would be required and impact the setback and steep slope. Discussion about the height of the structure after changing the shape of the dune to accommodate the driveway. The contractors for the project are the potential owners who will not close on property unless permit can be approved. Committee made various recommendations to the architect to consider for revisions to the plans and specifications. No other action taken.
11. 4 S. Pleasant – architect appears to discuss owner’s request to add an addition to the existing structure of 292 sq. ft. Architect questioned whether original structure was 3 or 4 story structure as design firm’s website describes the structure as a 4 story structure. Discussion regarding the findings made by the BZA requiring all fines to be paid and roof top hatch and stairs to be removed and Committee has no authority to consider the addition until there has been compliance with the BZA order. Architect confirmed that fines have not been paid and roof top hatch and staircase have not been removed. Motion Lies, second Williford, to table consideration of addition until owner complies with BZA order. Motion approved unanimously.
12. 158 Ripplewater – owner appears to report on submission of permit Documents. Committee requested that owner provide an engineering study for the driveway to be submitted to Building Commissioner. Owner agreed to do so.

IX. Adjournment – Motion Lies, second Vliek, to adjourn. Motion approved unanimously. Meeting adjourned at 10:51 a.m.

A handwritten signature in black ink, appearing to be 'D. Vliek', is written over the text of the adjournment.