

# **Cedar Lake Plan Commission**

## **Minutes**

### **June 15, 2011**

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The Cedar Lake Plan Commission held their regular public meeting on June 15, 2011. It was called to order at approximately 7:10 p.m. at the Cedar Lake Town Hall (Start time delayed as heavy storms were in the area). Those members present were: Greg Parker, James Hunley, Stacy Brooks, Robert H. Carnahan, John Foreman, Vice President, and Tim Kubiak, President. Also, present were Tim Kuiper of Austgen, Kuiper and Associates; Sandra Bucklew P.E. of Christopher B. Burke Engineering LTD; Ian Nicolini, Town Administrator; and Laurie Wyrick, Recording Secretary. Diane Cusack was not present at tonight's meeting.

**Presidents Comments:** None

**Plan Commission Appointment to the Board of Zoning Appeals:** Robert H. Carnahan stated that the Town Council has accepted the resignation from James Hunley for the Board of Zoning Appeals. John Foreman moved to appoint Diane Cusack as the Plan Commission Representative to the Board of Zoning Appeals. Greg Parker seconded. After a voice vote, the motion carried unanimously.

1. **Minutes:** Robert H. Carnahan moved to approve the Minutes from the April 20, 2011 Plan Commission Public Meeting. Greg Parker seconded. After a voice vote, the motion carried unanimously.

#### **New Business:**

##### **2. Lighthouse – Site Plan**

Owners: DJ Cedar Lake LLC, 1000 E. 80<sup>th</sup> Avenue, Suite 700N, Merrillville, Indiana  
Town of Cedar Lake, P.O. Box 707, Cedar Lake, Indiana  
Paradise Cove LLC, 1000 E. 80<sup>th</sup> Avenue, Suite 700N, Merrillville, Indiana  
Petitioner: DJ Cedar Lake, LLC, 1000 E. 80<sup>th</sup> Avenue, Suite 700N, Merrillville, Indiana  
Vicinity: 7501 Constitution Avenue & 7504 W. 138<sup>th</sup> Avenue  
Request: Site Plan approval

Town Attorney's Comments: Tim Kuiper stated that Items # 2, 3 and 4 belong to the same parcels and requested that the Plan Commission combine the items for presentation, discussion and public hearing purposes. Tim Kuiper stated that the notices and publications are in order for tonight's public hearing for Items #2, 3 and 4. Tim Kuiper stated that additional parking and fire lanes will be added for the Town.

Petitioner's Response: John Howard was present at tonight's meeting. Mr. Howard stated that part of the land swap that is in process with the Town is site plan approval by the Plan Commission. The Outlot "A" owned by the Town will be swapped for the property on which the home was recently demolished. A beach area is planned for this area, with additional parking spaces and plantings as highlights of the improvements made to the property that will be deeded to the Town of Cedar Lake.

Town Engineer's Comments: Letter dated June 15, 2011 from Neil Simstad of Nies Engineering. Tim Kuiper summarized the letter that the submittals are in compliance for approval by the Plan Commission.

Building Department Comments: Ian Nicolini stated that the Town Council approved the resurfacing of the current parking area as a part of the agreement.

Commission's Discussion: John Foreman stated that the Town Council has reviewed this Item.

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Commission's Decision: John Foreman moved to approve the Site Plan as presented. Greg Parker seconded. After a roll call vote, the motion carried by a vote of 6 to 0.

### **3. Lighthouse – Preliminary Plat**

Owners: DJ Cedar Lake LLC, 1000 E. 80<sup>th</sup> Avenue, Suite 700N, Merrillville, Indiana  
Town of Cedar Lake, P.O. Box 707, Cedar Lake, Indiana  
Paradise Cove LLC, 1000 E. 80<sup>th</sup> Avenue, Suite 700N, Merrillville, Indiana  
Petitioner: DJ Cedar Lake, LLC, 1000 E. 80<sup>th</sup> Avenue, Suite 700N, Merrillville, Indiana  
Vicinity: 7501 Constitution Avenue & 7504 W. 138<sup>th</sup> Avenue  
Request: Preliminary Plat Approval

Town Attorney's Comments: Tm Kuiper stated that the subdivision will combine the lots used by the Lighthouse and for Lighthouse parking.

Petitioner's Response: See Item #2

Town Engineer's Comments: See Item #2

Remonstrators: None

Building Department Comments: See Item #2

Commission's Discussion: No Additional Discussion.

Commission's Decision: John Foreman moved to approve the preliminary subdivision plat as presented. Greg Parker seconded. After a roll call vote, the motion carried by a vote of 6 to 0.

### **4. Lighthouse – Rezone**

Owners: DJ Cedar Lake LLC, 1000 E. 80<sup>th</sup> Avenue, Suite 700N, Merrillville, Indiana  
Town of Cedar Lake, P.O. Box 707, Cedar Lake, Indiana  
Petitioner: DJ Cedar Lake, LLC, 1000 E. 80<sup>th</sup> Avenue, Suite 700N, Merrillville, Indiana  
Vicinity: 7501 Constitution Avenue & 7504 W. 138<sup>th</sup> Avenue  
Request: Rezone from Neighborhood Business (B-1) Zoning District and Residential (R-2) Zoning District to Neighborhood Business (B-1) Zoning District.

Town Attorney's Comments: See Item #2

Petitioner's Response: See Item #2

Remonstrators: None

Building Department Comments: See Item #2

Commission's Discussion: No additional discussion.

Commission's Recommendation to Town Council: Stacy Brooks moved to send a Favorable Recommendation to the Town Council to rezone the property to Neighborhood Business (B-1) Zoning District. James Hunley seconded. After a roll call vote, the motion carried by a vote of 6 to 0.

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**Maintenance Bond:**

**5. Winding Creek Unit 1 Phase 1 –** Expiration date July 22, 2011

Owner/Petitioner: Winding Creek LLC, 10018 Kreitzburg, Dyer, Indiana

Vicinity: Winding Creek Unit 1 Phase 1

Request: Maintenance Bond release (expires July 22, 2011)

Town Attorney's Comments: Tim Kuiper stated that the bond can be released if the items have been approved.

Petitioner's Response: Not present.

Town Engineer's Comments: Sandra Bucklew stated that several items such as chimney seals, curb & gutter, and some pavement needs to be completed. The total is approximately two thousand dollars (\$2,000.00).

Building Department Comments: None

Commission's Discussion: Tim Kubiak questioned the need for chimney seals as a part of the approvals when this subdivision was platted. Sandra Bucklew responded that chimney seals were required for Winding Creek Unit 1 Phase 1.

Commission's Decision: Greg Parker moved to defer this item to the July meeting schedule. Stacy Brooks seconded. After a voice vote, the motion carried unanimously.

**Update Items:**

- A. T&J Landscaping Site Plan – update.
- B. Krystal Oaks Bond – update.
- C. Turnquist Site Plan – update. Greg Parker and John Foreman met with Mr. Turnquist on site to discuss the improvements. Due to inclement weather, the improvements have not been installed. Greg Parker moved to grant a ninety (90) day extension to complete the improvements. John Foreman seconded. After a voice vote, the motion carried unanimously.

**Correspondence:** None

**Public Comment:**

- A. Ian Nicolini wanted to thank the recording secretary for her time with the Plan Commission.
- B. Robert H. Carnahan stated concerns about the fence portion of the zoning ordinance as some residents in Lynnsway subdivision have voiced negative opinions concerning fences for corner lots.

**Adjournment:** 7:40 p.m. Tim Kubiak adjourned the meeting.

**Press Session:** None

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James Hunley

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Greg Parker

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Diane Cusack

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John Foreman, Vice President

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Robert H. Carnahan

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Tim Kubiak, President

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Stacy Brooks

Attest: \_\_\_\_\_  
Laurie Wyrick, Recording Secretary