

Cedar Lake Plan Commission

Work Session - Minutes

August 3, 2011

The Cedar Lake Plan Commission held their Work Session on August 3, 2011. It was called to order at approximately 7:21 p.m. at the Cedar Lake Town Hall. Those Members present were: Greg Parker, James Hunley, John Foreman, Vice President, and Tim Kubiak, President. Mark Kaiser of Christopher B. Burke Engineering LTD; Ian Nicolini, Town Administrator; and Jen Montgomery, Recording Secretary, were also present. Tim Kuiper of Austgen, Kuiper and Associates, Diane Cusack, Stacy Brooks, and Robert H. Carnahan, Members, were not present for tonight's meeting.

1. Minutes: The minutes of the July 20th Public Meeting were handed out for acceptance at the next Public Meeting.

New Business:

2. Surprise Park on the Lake Resubdivision – Final Plat

Owner/Petitioner: Steve & Linda Thompson, 7318 W.143rd Lane, Cedar Lake, Indiana
Vicinity: 7321 W. 143rd Place
Request: Preliminary Plat approval

- (1) Petitioner's Comments: Glen Boren, Registered Surveyor for Plumb Tuckett, and Associates was present tonight on behalf of the Petitioners to request final plat approval for 7321 W 143rd Place. Mr. Boren stated that some changes have been since the approval of the preliminary plat. An intention of Outlot A has been added that states that the Outlot is to be deeded to the southwest adjoiner of the property once the subdivision is approved. Upon additional field work and finalizing the plat of survey, the lot line on the southwest corner had been shifted about two (2) feet to the east from the original plan, which shifted the westerly lot line of lot 2. There is now a difference is about 146 square feet of lot size on lot 2. This change does not affect the building requirements for lot sizing or the plan for the building that will be erected at the site. Additional topography shots have been taken in consideration of the surrounding neighbors who have expressed concerns regarding drainage. A plan is also being developed for drainage that will be submitted with the site plan and building permit application. Mr. Boren stated the actions taken should be in compliance with all the requirements.
- (2) Town Engineer's Comments: Mark Kaiser stated that he and Jim Cornett of Public Works visited the site. Jim Cornett recalled that both lots in question have been known to retain water during heavy precipitation. Mr. Cornett also indicated to Mark Kaiser he is concerned with the drainage and that the Petitioners submit drainage calculations before any building permit is issued. Mr. Kaiser stated that the Final Plat is still under review and should be ready to be voted on at the Public Meeting.
- (3) Building Department's Comments: Ian Nicolini stated that a site plan will be submitted with the building permit application and that the Town Engineer will examine the drainage calculations when the plans are submitted. Because of the drainage concerns, the Town Engineer will need to approve the drainage calculations before a permit can be issued.
- (4) Commission's Discussion: None.

3. Luke Land, LLC – Site Plan

Owner: Doris Dunn, 12260 Rolling Hills Road, Monmouth, Oregon
Petitioner: Luke Land, LLC, 3592 North Hobart Road, Hobart, Indiana
Vicinity: 6905 W 133rd Avenue
Request: Site Plan Approval

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- (1) Petitioner's Comments: Not Present.
- (2) Town Engineer's Comments: None.
- (3) Building Department's Comments: Ian Nicolini stated that the site plan was discussed briefly at July's meeting. Mr. Nicolini stated that this site plan will be similar to that of St. Anthony in that it will be reviewed independently of WPPI's subdivision.
- (4) Commission's Discussion: None.

4. South Beach Subdivision – The Resubdivision of Outlot A

Owner: South Beach Homeowner's Assoc, Inc., 3500 Union, Steger, Illinois 60475
Petitioner: John Lotton, 8310 W 147th Avenue, Cedar Lake, Indiana 46303
Vicinity: W 147th Avenue, Cedar Lake, Indiana 46303
Request: Preliminary Plat Approval

- (1) Owner's Comments: John Lotton was present at tonight's meeting requesting preliminary plat approval for the resubdivision of Outlot A. Mr. Lotton stated that the outlot will be divided into four (4) parcels. The existing north/south lot lines of lots 1-4 will be used and will extend south to 147th Avenue. Once divided, each parcel will be deeded to the respective landowners. Each landowner will construct their own entrances at that point. The beach maintenance easement, cross access easement on outlot A, and the ten (10) foot easement on the west side of the outlot will be eliminated. The forty (40) foot setback will be changed to a thirty (30) foot setback. The homeowners' association will also be eliminated.
- (2) Town Engineer's Comments: None.
- (3) Building Department's Comments: Ian Nicolini clarified that these lots are the estate lots on the south end of the lake. The easement will be vacated as long as it doesn't vacate any adjacent lake right. Mr. Nicolini stated that the setback will have to remain at forty (40) feet unless a variance is applied for. Mr. Lotton stated that a forty (40) foot setback can remain and that the change will be made on the plat. Ian Nicolini stated that this is a minor plat, less than five (5) acres.
- (4) Commission's Discussion: Tim Kubiak confirmed that the homeowners will install their own driveways. Mr. Kubiak asked for clarification on the easement on the west side of lot 4. Mr. Kubiak also stated that 147th Avenue is an FAU road, so the setback needs to be at forty (40) feet. It was confirmed that once resubdivided, there will be four (4) lots with no common ground.

4. Town Zoning Ordinance No. 496 – Amendment

Amendment to: Title XXIII – Accessory Regulations; Section 1: General Accessory Regulations

- (1) Town Attorney's Comments: Not present.
- (2) Town Administrator's Comments: Ian Nicolini stated that the amendment will remove the clause in the ordinance stating an existing attached garage that a variance does not need to be sought to erect an unattached garage in the same zoning lot. It also changes the square footage requirements for maximum accessory building size, respective with

corresponding lot sizes. Mr. Nicolini summarized the Commission's changes to amendments as follows: 1) Include an affidavit with legal standing to restrict the living quarters aspect of the area above a detached garage; 2) Keep the ten (10) foot sidewall, but height limit can be exceeded in instances where it matches the existing height and pitch to the existing primary structure; 3) Include a three (3) foot height limit on cupolas, not to be included in the maximum building height; and 4) The maximum height on a lot size of 1.01-2.00 acres to be sixteen (16) feet, with a maximum total size of sixteen hundred (1,600) square feet.

- (3) Commission's Discussion: Discussion occurred regarding maximum heights allowed and roof pitches. The Commission expressed concerns about living quarters above garages, and whether or not a restriction should be in place to prevent same from happening. Discussion also occurred regarding cupolas and whether or not they should be included in the building height. The Commission agreed that a maximum height of three (3) feet should be applied to cupolas. It was agreed that the maximum height on a lot size of 1.01-2.00 acres should be changed to sixteen (16) feet.

5. Lynnsway Subdivision – Bond

Owner: Hawk Development Corp, 1313 White Hawk Drive, Crown Point, Indiana
Vicinity: Lynnsway Subdivision
Request: Performance Bond renewal (expires August 25, 2011)

- (1) Owner's Comments: Not Present.
- (2) Town Engineer's Comments: None.
- (3) Building Department's Comments: Ian Nicolini stated a notice to the bidders of the improvements needed to Lynnsway subdivision has been given out. The bond expires on August 25, 2011 and that it is required that bids and invoices be in hand before the bond can be drawn on. The pre-bid meeting is being held on Thursday, August 4, 2011 and the process is moving forward rather quickly in order to get the work started and finished as soon as possible. There has been correspondence between the Town's attorney and the representatives of the developer's bank stating that they are in the process of waiving the bid/invoice requirements from the bond itself and/or extending the bond for ninety (90) days. The Town should be able to present bids and estimated invoices for the work and that the quantities should match fairly well with the amount left in the performance bond. It is possible, however, that the amount will come up somewhat short. Mr. Nicolini stated that bidding will open on August 12, 2011 and that a bid award will be given before the Town Council no later than August 16, 2011.
- (4) Commission's Discussion: Tim Kubiak inquired how much money is left in the performance bond. Ian Nicolini stated that just over \$1 million is currently left. Mark Kaiser of Christopher B. Burke Engineering, Ltd. stated that the bond is currently at twenty-five (25) percent, but there are several repairs that need to be done in the subdivision.

Other Business

- A. Ordinance Items – Ian Nicolini stated another ordinance may be coming regarding vacant commercial buildings. Mr. Nicolini also stated that Council President Bob Carnahan wants to look into regulations for fences on corner lots.

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- B. T&J Landscaping – site plan status. John Foreman stated that T&J Landscaping is in the process of purchasing additional lots and that their site plan may have to change.
- C. Krystal Oaks Bond – update.
- D. Turnquist – Site Plan update. John Foreman discussed drainage issues at the site and changes that have been made. Discussions occurred regarding the changes that have been made and that the Town Engineer needs to inspect the site to confirm that the issues have been corrected.
- E. John Foreman stated that Hanover Park is in the process of obtaining a new basketball court. Mr. Foreman stated drainage calculations have been done for the new equipment. Mr. Foreman inquired if this item needs to be added to the Plan Commission agenda for site plan approval. Ian Nicolini stated that it seemed to be more of a Town Council issue, as it is more of a parks and recreation issue.

Written Communications: None

Public Comment: None.

Adjournment: The Work Session was adjourned at 8:25 p.m.

Press Session: None

Attest: _____
Jen Montgomery, Recording Secretary