

**Cedar Lake Plan Commission
Special Public Meeting
January 4, 2012**

The Cedar Lake Plan Commission held their Special Public Meeting on January 4, 2012. It was called to order at approximately 7:02 p.m. at the Cedar Lake Town Hall. Those members present were Diane Cusack, Dennis Wilkening, Stacy Brooks, Greg Parker, Robert H. Carnahan, John Foreman, Vice President and Tim Kubiak, President. Don Oliphant of Christopher B. Burke Engineering, Ltd, Ian Nicolini, Town Administrator, Adam Sworden of Austgen, Kuiper & Associates, and Jenn Montgomery, Recording Secretary, were also present.

President's Comments: Tim Kubiak welcomed back Dennis Wilkening to the Plan Commission.

Public Hearing:

A. Floodplain Management Regulations – Ordinance Amendment

Request: Amendment to Town Zoning Ordinance regarding Floodplain Management Regulations

- (1) Town Attorney's Comments: Attorney Adam Sworden stated that public notice has been given for tonight's public hearing. Attorney Sworden explained that the regulations have been updated to reflect the new mapping changes that will take effect on January 18, 2012. Attorney Sworden stated that the forms and formats are nearly identical to previous version of the floodplain regulations. Engineering did not review this document, as the state of Indiana department of natural resources has signed off on these changes.
- (2) Town Engineer's Comments: None.
- (3) Remonstrators: None.
- (4) Building Department's Comments: Ian Nicolini stated this amendment will be in front of the Town Council in a Special Public Meeting on January 5, 2012 and it is recommended that the Plan Commission approve this item tonight.
- (5) Commission's Discussion: John Foreman asked if this is a typical change that occurs at certain times. Ian Nicolini stated that the maps haven't been updated in approximately thirty (30) years. Tim Kubiak asked if a Resolution number is required. Yes, it shall be 2012-1.
- (6) Commission's Decision: John Foreman moved to read Resolution 2012-1 by title only. Greg Parker seconded. After a voice vote, the motion carried unanimously. Ian Nicolini read Resolution 2012-1 by title only. Greg Parker moved to approve Resolution 2012-1. Seconded by John Foreman. After a roll call vote, the motion carried 7-0. Stacy Brooks moved to send a favorable recommendation to the Town Council to approve the ordinance amendment to the Floodplain Management Regulations. Diane Cusack seconded. After a roll call vote, the motion carried 7-0.

Public Comment: Bob Carnahan stated that the Chamber of Commerce's last day to remove the Christmas tree decorations will be January 5, 2012. After that, Public Works will pick up all trees and a burning ceremony will be held on January 7, 2012. Also, Hanover Central and McArthur schools have been recognized by the State as four-star schools.

Adjournment: The meeting was adjourned approximately 7:12 p.m.

Dennis Wilkening

Greg Parker

Diane Cusack

John Foreman, Vice President

Stacy Brooks

Tim Kubiak, President

Robert H. Carnahan

Attest: _____
Jenn Montgomery, Recording Secretary

**Cedar Lake Plan Commission
Work Session
January 4, 2012**

The Cedar Lake Plan Commission held their regular Work Session on January 4, 2012. It was called to order at approximately 7:12 p.m. at the Cedar Lake Town Hall. Those members present were Diane Cusack, Dennis Wilkening, Stacy Brooks, Greg Parker, Robert H. Carnahan, John Foreman, Vice President, and Tim Kubiak, President. Don Oliphant of Christopher B. Burke Engineering, Ltd, Ian Nicolini, Town Administrator, Adam Sworden of Austgen, Kuiper & Associates, and Jenn Montgomery, Recording Secretary, were also present.

Voting for President, Vice President, Retention of Services and Board of Zoning Appeals appointment to take place at Public Meeting on January 18, 2012.

1. **Minutes:** Minutes from the December 21, 2011 Public Meeting were handed out to be voted on at the next Public Meeting on January 18, 2012.

New Business:

1. CVS – Final Plat Approval

Owner: Wornhoff Family Trust, 11113 W 133rd Avenue, Cedar Lake, Indiana; and
John Schutz, 11009 W 133rd Avenue, Cedar Lake, Indiana; and
Heidi Mees-Duncan, PO Box 587, Cedar Lake, Indiana

Petitioner: GB Indiana 2, LLC, 600 E 96th Street, Suite 150, Indianapolis, Indiana

Vicinity: 11113 W 133rd Avenue, Cedar Lake, Indiana; and
11105 W 133rd Avenue, Cedar Lake, Indiana; and
11109 W 133rd Avenue, Cedar Lake, Indiana; and
13311 Wicker Avenue, Cedar Lake, Indiana
(Southeast corner of 133rd Avenue/US 41)

Request: Final Plat Approval

- (1) Petitioner's Comments: Jeff Ban was present at tonight's meeting to represent CVS and to request Final Plat approval. Mr. Ban stated they received comments from the Town Engineer and are working through those issues.
- (2) Town Engineer's Comments: Don Oliphant stated there are still three (3) outstanding comments, including water well testing, pipe material, and their O&M Plan.
- (3) Building Department's Comments: Ian Nicolini stated the address has been determined and will be recorded on the final plat. Mr. Nicolini also stated that hydrant locations also need to be shown on the final plat.
- (4) Commission's Discussion: John Foreman asked where the underground detention pond will be located; underneath the north, west and south parking lot. More discussion occurred regarding the underground detention. Discussion occurred regarding fire safety and where the water supply will come from for fire hydrants until the water main is extended to 133rd Avenue and US 41. Discussion also occurred regarding the location of the fire hydrant. Bob Carnahan asked about the status of the entrance to/from US 41. Jeff Ban stated the permit application has been received and processed, but no approval has been given to date.

2. Midwest PGM – Preliminary Plat Approval

Owner: Industrial Drive Properties, LLC, 11363 W 135th Place, Cedar Lake, Indiana

Petitioner: Richard Thiel & Jorge Rangel, 11363 W 135th Place, Cedar Lake, Indiana

Vicinity: 10501-9 W 133rd Avenue

Request: Preliminary Plat Approval

- (1) Petitioner's Comments: Jeff Ban was present representing Midwest PGM to seek preliminary plat approval. There are currently four (4) lots, one of which is a detention pond. These four (4) lots will be resubdivided into one (1) lot, Lot 11 (detention pond) will be filled in, and the storm water management system will be repositioned so that all Lots can be utilized by Midwest PGM. Lots 9 and 10 currently have a building on them, and the hope is that Lots 11 and 12 may be built on as well. Calculations have been made in order to prevent storm water issues in the area. Other engineering comments are also currently being worked through.

- (2) Town Engineer's Comments: Don Oliphant stated that there are mostly just grading and drainage issues. There are no infrastructures going on the property. Everything will be pitched to the east toward the new drainage easement on Lots 11 and 12. After their first review, there are about six (6) relatively minor comments that they are working through. The goal is not to increase the flow rate for the lots, so they will be equal or less than what exists right now.
- (3) Building Department's Comments: Ian Nicolini inquired if the drainage easement needs to be released. Because it is just a drainage easement in favor of the Town, it can be vacated/released.
- (4) Commission's Discussion: Tim Kubiak inquired if the lots should remain the same or renamed to Lot 9, so as to keep it in order with the other lots in the Industrial Park. Ian Nicolini explained that it would be renamed to Lot 1 in the Phase 2 Resubdivision. Jeff Ban stated that instead of calling it Cedar Lake Industrial Park – Phase 2 Resubdivision of Lots 9, 10, 11, & 12, it would just be renamed to Lot 1 of the resubdivision. Discussion occurred if it would be simpler and more sensible to leave the lot at Lot 9, rather than having another Lot 1 in the subdivision. Jeff Ban stated he would speak with the Lake County Auditor and Recorder and see what the correct process is for this type of resubdivision.

3. Lighthouse – Site Plan Approval

Owner/Petitioner: DJ Cedar Lake, 1000 E 80th Place, Ste 700N, Merrillville, Indiana
Vicinity: 7501 Constitution Avenue
Request: Site Plan Approval

- (1) Petitioner's Comments: Les Dewes was present at tonight's meeting on behalf of DJ Cedar Lake to request site plan approval for a new freestanding outdoor kitchen in the northeast corner of the property. It will be approximately 12'x24'. As there have been many requests by patrons, the restaurant would like to be able to serve a limited menu outdoors. The setbacks will be approximately the same as the existing gazebo. It will have a stone façade, metal roof and small cupola on the top. It will look similar to the existing restaurant. The kitchen will have a setback of approximately seven (7) feet from the north property line. The building will be open during the summer and fall months, and will be closed and winterized during the colder, winter months.
- (2) Town Engineer's Comments: None.
- (3) Building Department's Comments: None.
- (4) Commission's Discussion: Tim Kubiak asked Mr. Dewes if he would be able to provide a drawing with the setbacks. Mr. Kubiak also stated he would like to see some sort of barrier at the end of Constitution Avenue to prevent traffic from accidentally entering the patio area. Les Dewes stated he will look into these issues and have an update at the next meeting. Discussion occurred regarding water, gas and power sources, which will be extended from the building.

4. Centennial Phase 3 – Performance Bond Renewal

Owner/Petitioner: Olthof Homes, 8501 Wicker Avenue, St. John, Indiana
Vicinity: Centennial Subdivision
Request: Phase 3 – Performance Bond Renewal (expires March 16, 2012)

- (1) Petitioner's Comments: Not Present.
- (2) Town Engineer's Comments: None.
- (3) Building Department's Comments: None.
- (4) Commission's Discussion: It was discussed that Joe Lenehan of Olthof Homes had previously stated that they would like to combine all four (4) performance bonds or letters of credit into one (1) maintenance bond when all of the necessary improvements have been made. It was also discussed that this bond is auto-renewing.

5. Alta Mira – Preliminary Plat Extension

Owner/Petitioner: TRAM Development Group, PO Box 10144, Merrillville, Indiana

Vicinity: Alta Mira Subdivision east of Robin's Nest on W 133rd Avenue

Request: Preliminary Plat Extension

(1) Petitioner's Comments: Petitioner not present.

(2) Town Engineer's Comments: None.

(3) Building Department's Comments: None.

(4) Commission's Discussion: The plat doesn't expire until March, 2012, and this item was only put on the agenda so the Plan Commission may have enough time to take action, if necessary.

Update Items

A. Ordinance Items – Fence Regulations. No new information.

B. T&J Landscaping – Site Plan Status. No new information.

C. Turnquist – Site Plan Update. Larry Turnquist is still working through some engineering issues.

Correspondence: None.

Public Comment: Town Attorney David Austgen was present at tonight's meeting to discuss the north gate into the neighborhood south of Paradise Cove and ingress and egress issues. Attorney Austgen stated that this issue was brought up at the Town Council meeting held the night before. Greg Parker stated that due to flooding issues in the area, until a second entrance is put in or at least planned for, the gate needs to be opened up to accommodate the surround residents. Les Dewes stated that he understands the issue at hand, and that he will relay the message to the appropriate people. Tim Kubiak stated that the area's terrain would be too rough to have the gate opened at all times. Discussion occurred regarding having access through the gate in emergency situations and for emergency vehicles.

Adjournment: The meeting was adjourned approximately 7:56 p.m.

Press Session: None.

Attest: _____
Jenn Montgomery, Recording Secretary