

Cedar Lake Plan Commission

Public Meeting

February 15, 2012

The Cedar Lake Plan Commission held their regular Public Meeting on February 15, 2012. It was called to order at approximately 7:05 p.m. at the Cedar Lake Town Hall. Those members present were Diane Cusack, Dennis Wilkening, Stacy Brooks, Greg Parker, Robert H. Carnahan, and Tim Kubiak, President. Don Oliphant of Christopher B. Burke Engineering, Ltd, Ian Nicolini, Town Administrator, Attorney Tim Kuiper of Austgen, Kuiper & Associates, and Jenn Montgomery, Recording Secretary, were also present. Vice President John Foreman was not present at tonight's meeting.

1. **Minutes:** Greg Parker moved to approve the minutes from the Special Public Meeting of January 4, 2012. Stacy Brooks seconded. Motion carried. Stacy Brooks moved to approve the minutes from the Public Meeting of January 18, 2012. Greg Parker seconded. Motion carried. Greg Parker moved to approve the minutes from the Special Public Meeting of January 31, 2012. Diane Cusack seconded. Motion carried.

New Business:

1. Midwest PGM – Final 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: Final Plat Approval

- (1) Attorney's Comments: Attorney Tim Kuiper stated that the easements are located on the bottom of the plat for the vacation of those easements. These easements were relocated to accommodate the resubdivision of the lots.
- (2) Petitioner's Comments: Jeff Ban of DVG was present tonight on behalf of Midwest PGM seeking final plat approval. Mr. Ban stated that lots 9-12 will be replatted to Lot 1. Mr. Ban also stated that all outstanding items have been addressed.
- (3) Town Engineer's Comments: Don Oliphant stated that a recommendation letter for approval was issued today, as well as the storm water permit for the petitioner's Rule 5 Permit application.
- (4) Building Department's Comments: None.
- (5) Commission's Discussion: None.
- (6) Commission's Decision: Greg Parker moved to approve the request for final plat approval. Bob Carnahan seconded. After a roll call vote, the motion carried 6-0.

2. Prater – Preliminary Plat Approval

Owner/Petitioner: Edgar & Penelope Prater, 9710 W 125th Avenue, Cedar Lake, Indiana
Vicinity: 9710 W 125th Avenue
Request: Preliminary Plat Approval

- (1) Town Attorney's Comments: Attorney Tim Kuiper stated the notices and publications are in order for tonight's hearing. Attorney Kuiper also stated that Mr. Prater will need to obtain a variance approval, as the second lot will not have enough road frontage as required by the Town Ordinance.

- (2) Petitioner's Comments: Ed Prater was present at tonight's meeting. Mr. Prater stated that he would like to split his land into two (2) lots, one of which will be deeded to his son. There will be a twenty foot (20') ingress/egress utility easement coming off Parrish, which will be used as the driveway for the second lot. Mr. Prater stated that he wants to subdivide to the east due to drainage issues to the west of his home and that it would be easiest to build on the east side of the property.
- (3) Town Engineer's Comments: Since the plat was just submitted today, Don Oliphant has not had time to review the plans. Mr. Oliphant also stated that drainage will be examined since there are concerns with adjacent property owners.
- (4) Remonstrators: Larry Dodson of 12516 Parrish Avenue was present at tonight's meeting with concerns of drainage onto his property with the new construction. Bill Jenkins of 12544 Parrish Avenue stated concerns of survey issues. Mr. Jenkins stated that there have been several variations in Mr. Prater's property and surrounding properties in years past and just wants to be sure that the survey is done correctly.
- (5) Building Department's Comments: None.
- (6) Commission's Discussion: Dennis Wilkening inquired about 125th Avenue and who is considered within Town limits. Because 125th Avenue was originally a driveway, the utilities were run along the twenty foot (20') ingress/egress. When 125th Avenue was taken over by the Town, the residents on the south side of the street were incorporated into Cedar Lake, and the residents on the north side of the road stayed unincorporated. Tim Kubiak stated that because the Petitioner will need to apply for a variance and because the Town Engineer hasn't had time to review the plat, this item should probably be deferred to a special public meeting in March.
- (7) Commission's Decision: Greg Parker moved to defer this item to a Special Public Meeting on March 7, 2012. Diane Cusack seconded. After a voice vote, the motion carried unanimously.

3. 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: Attorney Jim Wieser of Wieser & Wyllie was present tonight on behalf of TRAM Development Group. Attorney Wieser stated they are requesting a preliminary plat extension. Unfortunately, due to the economy, the developer hasn't had an opportunity to develop the subdivision. Attorney Wieser stated that it seems there may be some entities that may be interested in developing the subdivision. Attorney Wieser stated that due to these circumstances, his client would like approval for a preliminary plat extension.
- (2) Town Engineer's Comments: None.
- (3) Building Department's Comments: None.

- (4) Commission's Discussion: Greg Parker asked Attorney Tim Kuiper if the Plan Commission is required to extend the plat for twelve (12) months, or if they are allowed to extend for a lesser amount of time. Attorney Kuiper stated that the maximum they could allow is twelve (12) months, but they may extend for less. Greg Parker stated he would prefer to extend the plat for six (6) months, as this would give TRAM Development enough time to find out if anyone is interested in developing the subdivision. Bob Carnahan stated he didn't see a problem in extending the plat for a year.
- (5) Commission's Decision: Greg Parker moved to extend the Preliminary Plat for six (6) months. Stacy Brooks seconded. After a roll call vote, the motion carried 5-1, with Bob Carnahan voting against.

Other Business

1. Union Station – Zone Change Remand from Town Council

Owner: Philip C Rietvelt Trust
Petitioner: Town of Cedar Lake
Vicinity: 141st Avenue and Parrish Avenue
Request: by Town to return zoning to A-1

*Continued from December 21, 2011 Public Meeting
Continued from January 18, 2012 Public Meeting*

- (1) Commission's Discussion: Attorney Tim Kuiper stated that a letter was received from Attorney Wieser regarding some ongoing dialogue regarding this matter. Attorney Kuiper recommended that the Plan Commission defer this item in order to give the parties time to discuss options in regard to this matter.
- (2) Commission's Decision: Greg Parker moved to defer this item to next month's Public Hearing. Stacy Brooks seconded. After a voice vote, the motion carried 6-0.

Update Items

- A. Centennial Phases 1-3 Bond Release – Update. No information.
- B. Ordinance Items – Fence Regulations. No new information.
- C. T&J Landscaping – Site Plan Status. No new information.
- D. Turnquist – Site Plan Update. No new information

Correspondence: None.

Public Comment: None.

Adjournment: The meeting was adjourned approximately 7:31 p.m.

Press Session: None.

Dennis Wilkening

Greg Parker

Diane Cusack

John Foreman, Vice President

Stacy Brooks

Tim Kubiak, President

Robert H. Carnahan

Attest: _____
Jenn Montgomery, Recording Secretary