

Cedar Lake Plan Commission

Special Public Meeting

March 7, 2012

The Cedar Lake Plan Commission held their Special Public Meeting on April 4, 2012. It was called to order at approximately 7:06 p.m. at the Cedar Lake Town Hall. Those members present were Dennis Wilkening, Greg Parker, Robert H. Carnahan, and Tim Kubiak, President. Don Oliphant of Christopher B. Burke Engineering, Ltd, Ian Nicolini, Town Administrator, and Jenn Montgomery, Recording Secretary, were also present. Diane Cusack, Stacy Brooks, John Foreman, Vice President, and Attorney Tim Kuiper of Austgen, Kuiper & Associates were not present at tonight's meeting.

1. Plant – Preliminary Plat Renewal

Owner/Petitioner: Dana & Angela Plant, 10516 W. 129th Avenue, Cedar Lake, Indiana
Vicinity: 10516 W. 129th Avenue
Request: Preliminary Plat renewal (expires April 16, 2012)

- (1) Petitioner's Comments: Not Present.
- (2) Town Engineer's Comments: None.
- (3) Building Department's Comments: Ian Nicolini stated that it was brought to staff's attention yesterday and that Mr. Plant was not able to attend tonight's meeting, but indicated that he wants to extend the plat for another year.
- (4) Commission's Discussion: Discussion occurred regarding the number of extensions that the subdivision has had. It was originally approved in 2008, and this would be the third extension. Nothing is stated in the ordinance that restricts the number of extensions a plat may have.
- (5) Commission's Decision: Greg Parker moved to approve the extension for six (6) months. Bob Carnahan seconded. A roll call vote was taken with a vote of 3-1, with Dennis Wilkening voting against. Because four (4) votes are needed to pass a motion, the motion did not pass. Greg Parker moved to extend the plat for thirty (30) days. Bob Carnahan seconded. After a roll call vote, the motion carried by a vote of 4-0.

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

*Continued from February 15, 2012 Public Meeting.
Continued from March 7, 2012 Special Public Meeting.
Continued from March 21, 2012 Public Meeting.*

- (1) Petitioner's Comments: Ed Prater stated he spoke with Town Engineer Don Oliphant prior to the meetings. Some comments that have been addressed since the engineer's letter was issued, but they are not yet shown on the plat.
- (2) Town Engineer's Comments: Don Oliphant stated there are some minor comments to address, but nothing major would affect the plat. The utilities need to be shown on the plat, along with the well. The well will need to be drilled and approved through IDEM, which will need to be done before Final Plat.
- (3) Remonstrators: Terri Costello of 9714 W 125th Place was present tonight inquiring how drainage concerns have been addressed. A swale will be put in on the south side of the driveway to pick up stormwater from the south end. Ed Prater also addressed the drainage issues and explained that the reason he wants to build on the east side of his house is because there are so many drainage issues to the west and north. Larry Dotson of 12516 Parrish Avenue stated his biggest concern is flooding on his property. A swale is being put in along the north side of his property in order to prevent any additional drainage and flooding issues on his property. Barbara Smith of 12525 Parrish Avenue inquired how close the driveway and ditch will be to the Dotson's house. Ms. Smith inquired why the entrance to the property can't come off 125th rather than Parrish Avenue. Tim Kubiak stated that from the southern stake and out approximately nine (9) feet is where the swale will be located. Nedra Dotson of 12516 Parrish Avenue stated she was under the impression that the area where the driveway will be was an easement that belonged to the Town. Ms. Dotson stated she wasn't aware that anyone owned it. Concerns about drainage were also discussed. Ms. Dotson also stated concerns of the impact on her property value. Terri Costello discussed concerns about the placement of the driveway and how close it will be to the neighbors' home. Ms. Costello stated she believes there will be a significant impact on the property values, as many trees will be taken down in order to put in the driveway.

- (4) Building Department's Comments: Ian Nicolini stated that last month, Mr. Prater's Developmental Variance request was deferred last month because Mr. Prater was not present at the meeting. Because there were so many concerns from the neighbors, the Plan Commission chose to defer the meeting to the April meeting, which will be held next week.
- (5) Commission's Discussion: Discussion occurred regarding waiving the technical requirements and submitting one plat. As long as everything is addressed properly and the engineer issues his approval, the Commission did not see a problem with waiving the requirements. Mr. Prater must still get approval for frontage from the Board of Zoning Appeals. Discussion occurred regarding the drainage issues in the area of 125th and Parrish. Greg Parker suggested that residents attend go to Stormwater Board in order to address these issues. Mr. Parker also stated that not so long ago, these subdivision requirements weren't in place and developers didn't have to follow all these steps, so the Town is making progress.
- (6) Commission's Decision: Greg Parker moved to approve the Preliminary Plat, contingent upon engineering and Board of Zoning Appeals approvals. Dennis Wilkening seconded. After a roll call vote, the motion carried 4-0.

Commission Discussion: John Foreman stated to the Plan Commission that it has been approximately five (5) years since the Master Plan has been completed. Mr. Foreman stated that he would like the Plan Commission to look at revisions and update the Master Plan. Stacy Brooks asked if the public will be involved. John Foreman stated that the public will be able to put in their input, but that the main goal is to just review the Plan and make changes as needed. Motion made by John Foreman and seconded by Greg Parker. After a voice vote, the motion carried 7-0.

Public Comment: Greg Parker requested that Ed Prater bring the drainage issues in the area of 125th and Parrish Avenues to the attention of the Stormwater Board.

Adjournment: The meeting was adjourned approximately 7:58 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

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Work Session

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