

Cedar Lake Plan Commission

Public Meeting

August 15, 2012

The Cedar Lake Plan Commission held their regular Public Meeting on August 15, 2012. It was called to order at approximately 7:03 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, Attorney Adam Sworden of Austgen, Kuiper & Associates, Ian Nicolini, Town Administrator, and Jenn Montgomery, Recording Secretary, were also present. Vice President John Foreman arrived at approximately 7:45 p.m.

Minutes

1. Dennis Wilkening moved to approve the minutes of the May 31, 2012 Joint Public Meeting. Greg Parker seconded. After a voice vote, the motion carried 6-0.
2. Greg Parker moved to approve the minutes of the July 18, 2012 Public Meeting. Diane Cusack seconded. After a voice vote, the motion carried 6-0.

Public Hearing

1. 2012 Comprehensive Master Plan Update

- (1) Attorney's Comments: Attorney Tim Kuiper stated the notices and publications are in order for tonight's hearing.
- (2) Town Administrator's Comments: Ian Nicolini stated the Commission received a draft of the 2012 Comprehensive Master Plan Update. It was noted that Scribner's errors and content have been addressed and are currently being corrected.
- (3) Remonstrators: None.
- (4) Commission's Discussion: Bob Carnahan stated that there may some opportunities in the near future to accomplish some of the goals within the Master Plan. Diane Cusack inquired if the impact fees discussed in the Plan are the same fees that are collected for the Park Impact Fees. Ian Nicolini stated that it also includes System Development Fees that are collected for new developments. The Park Impact Fees are only used for parks. Discussion occurred regarding the possibility of impact fees that would be used for things such as road improvements and other capital improvements. Dennis Wilkening asked if Phase 2 of 133rd Avenue will begin in 2013. Ian Nicolini stated that bids should be received around July 2013, with the project beginning in October 2013. Bob Carnahan stated that this Plan is basically a guide. Ian Nicolini confirmed, and added that this is a guide for the purposes of planning future development in the Town of Cedar Lake. Any policies that would need to be implemented, would need to be in the form of an Ordinance.
- (5) Commission's Recommendation to the Town Council: Motion by Diane Cusack and seconded by Stacy Brooks to send a favorable recommendation to the Town Council to approve the 2012 Comprehensive Master Plan Update. After a roll call vote, the motion carried 6-0.

New Business

1. 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 (expires September 18, 2012)

Approval granted March 18, 2009

Twelve (12) month extensions granted 2010 & 2011

Six (6) month extension granted February 15, 2012

- (1) Petitioner's Comments: Attorney Jim Wieser, representing TRAM Development Group, stated that, in February of this year, his client sought a twelve (12) month extension for the preliminary plat, primarily due to interest by another party to purchase this development. Attorney Wieser stated that his client has unfinished developments all over Lake County, including St. John, Merrillville and Cedar Lake. Attorney Wieser explained that the developer who is interested in this particular development has also obtained his client's development in St. John and explained that if that project goes well, they will want to move south to Cedar Lake. At this time, his client's intention is to sell the development, but that it will hold more value if the land has zoning and subdivision approval, as it is more desirable to potential buyers. Attorney Weiser stated that this project was originally started in 2006, before the economy fell, but because the property had to be annexed into Cedar Lake, the process was prolonged for some time. Attorney Weiser also noted that his client has never obtained entitlements to a property and sold it until this year, when they sold the development in St. John.

- (2) Town Engineer's Comments: No comments.
- (3) Building Department's Comments: No comments.
- (4) Commission's Discussion: Greg Parker stated that the development should be held to the current drainage requirements and should be required to follow those standards, as it would be in the best interest in the community. Denny Wilkening stated he agreed with Mr. Parker, and that too many issues arise after developments are completed. Discussion occurred regarding what would happen if the plat expires or is not renewed. Attorney Tim Kuiper stated that in the event that the plat expires or is not extended, then the developer would have to resubmit plans and go through the subdivision process from the beginning. Tim Kubiak stated he has faith in the Town Engineers, who originally signed off on the plans as acceptable. Tim Kubiak stated that he would be ok with a six (6) month extension. If there is no buyer or plans to move forward at that time, then no more extensions should be granted. Bob Carnahan stated that the Town of Cedar Lake has been dealing with many drainage issues all over town and that new developments that were approved are still being dealt with several years later.
- (5) Commission's Decision: Greg Parker moved to grant a three (3) month extension to the Preliminary Plat, contingent that no other extensions be granted. Stacy Brooks seconded. After a roll call vote, the motion carried

Old Business

1. Boersma – Site Plan Approval

Owner/Petitioner: John & Darlene Boersma, 2941 E Brunswick Road, Beecher, Illinois

Vicinity: 12828 Wicker Avenue, Cedar Lake, Indiana

Request: Site Plan Approval

- (1) Petitioner's Comments: Not present.
- (2) Town Engineer's Comments: Don Oliphant stated he spoke with Mr. Boersma this afternoon and that he has requested to be deferred tonight, as no new plans have been submitted.
- (3) Building Department's Comments: None.
- (4) Commission's Discussion: None.
- (5) Commission's Decision: Motion by Greg Parker and seconded by Bob Carnahan to defer this item to the next meeting. After a voice vote, the motion carried 6-0.

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 July 18, 2012 Public Meeting

- (1) Owner's Comments: Not present.
- (2) Commission's Discussion: None.
- (3) Commission's Decision: Motion by Greg Parker and seconded by Diane Cusack to continue this item to the next public meeting. After a roll call vote, the motion carried 6-0.

Update Items

- A. Ordinance Items – Fence Regulations. Ian Nicolini provided the Commission with a revised ordinance. This item will be on the next public meeting for approval. Ian Nicolini clarified some of the issues from the previous work session and asked the Commission to review the new version. Discussion occurred regarding the types of fences that will be allowed under the new ordinance, as well as where these regulations will be applied.
- B. T&J Landscaping – Site Plan Status. No Update.
- C. Turnquist – Site Plan Update. No update.

Public Comment: None.

Adjournment: The meeting was adjourned approximately 7:53 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