

**Town of Cedar Lake – Plan Commission
Work Session Minutes
June 19, 2013**

Call to Order: 7:00 p.m.

Roll Call:

Absent	Diane Cusack Member	Present	Robert H. Carnahan Vice President
Present	Jim Hunley Member	Present	Tim Kubiak President
Present	Julie Rivera Member	Present	Donald Oliphant Town Engineer – CBBEL
Present	Greg Parker Member	Present	David Austgen Town Attorney
Present	John Foreman Member	Present	Jack Slager Building Commission

Minutes: June 5, 2013 Public Meeting

Motion made by Greg Parker to adopt minutes and seconded by Julie Rivera.

After roll call motion carried 6-0.

New Business

1. Michael Dolder – Preliminary Plat Approval

Owner/ Petitioner: Michael & Marilyn Dolder, 13 Hawthorne Pl., Schererville, In 46375

Vicinity: 13900 Huseman Place, Cedar Lake, In 46303

Request: Petitioner is requesting Preliminary Plat approval to establish a two (2) lot subdivision.

- (1) Town Attorneys Comments: Receipts for mailings to adjacent property owners were just received so have not yet been reviewed. Proof of Publications and Notices are in Towns file and reflects timely publication of notice of public hearing. Recommends proceeding.
- (2) Petitioners Comments: Jim Weiser representing the Dolder's stated that lot can now be a recorded subdivision and can be on record at Lake County and at the Town of Cedar Lake. They are simply cleaning up the plat of subdivision and also re-establishing a new sewer easement.
- (3) Town Managers Comments: None.
- (4) Building Commissions Comments : None
- (5) Remonstrators: Ken Wilkening of 13853 Huseman Street stated that said parcel of land is already in an established subdivision so how is it possible to place a new subdivision in a subdivision. David Austgen Town Attorney stated that under Planning Statutes of Indiana Code a re-subdivision of an existing parcel is permissible.
Antoinette (name inaudible) of 13905 Huseman Street wants a continuance so her lawyer can review legals.
Lynn Conroy of 13908 Huseman Place wants to know where easement is and if she ever has a sewer problem could she gain access easily? David Austgen assured her that yes it is accessible.
- (6) Town Engineers Comments : None
- (7) Commissions Discussion: Robert H. Carnahan wanted to know if there are other lots that have been combined like lot in question. David Austgen stated that, yes there were. Per Jack Slager, once recorded as plat it solidifies easement so that can be tracked in the future and it's in the right place. Easement is dedicated where sewer is. Per Tim Kubiak, Mr. Dolder already had official lots of record and that he is now just including easement. David Austgen recommends for purposes of verification, that Donald Oliphant (CBBEL) check on sufficiency of language.
- (8) Commissions Decision: Motion to approve Preliminary Plat to include the findings and fact made by Jim Hunley and seconded by Julie Rivera. After roll call motion carried 5-1.

2. McDonalds Corporation – Preliminary Plat & Site plan Approval

Owner: McDonalds Corporation, One McDonalds Plaza, Oak Brook, IL 60523

Petitioner: Fred Matthias, 3277 Oak Knoll Rd., Carpentersville, IL 60110

Vicinity: 13312 Wicker Ave., Cedar Lake, IN 46303

Request: Petitioner is requesting Preliminary Plat approval to establish a one (1) lot subdivision.

- (1) Town Attorneys Comments: Notices and Publications are in order.
- (2) Petitioners Comments: Jeff Miller from Watermark Engineering, located at 2631 Ginger Woods Parkway, Aurora, IL, is the civil engineer for project. Asking for a two (2) parcel lot to be reduced to a one (1) lot parcel. Plats have been submitted. Christopher B Burke Engineering has provided a review letter in which has been responded too. Donald Oliphant (CBBEL) has

provided another letter with minor comments. The only unknown is what BP is planning to do. The Town has asked McDonalds Corp to provide a ten (10) foot easement along RT. 41. The proposed detention basin on the West portion of property has been expanded to the whole North/ West dimension of the property and will provide a drainage easement around that as well as the drainage easement along the storm sewer that runs off of RT.41 along the South property area.

- (3) Town Engineers Comments: None
- (4) Town Managers Comments: None
- (5) Building Commissions Comments: None
- (6) Remonstrators : None
- (7) Commissions Discussion : None
- (8) Commissions Decision: Jim Hunley motions to approve Preliminary Plat Approval contingent upon the engineering and the agreement to tap onto water main when available. Motion seconded by John Foreman. After roll call motion carried 6-0. Greg Parker motions to approve Site Plan contingent upon the engineering and agreement to tap onto water main when available. Julie Rivera seconds the motion. After roll call motion carried 6-0.

3. BP – Preliminary Plat & Site Plan Approval

Owner: Herman Fisher, 7404 E. Plank Trail, Frankfort, IL 6042
Petitioner: Cleon Stutler, 2155 Willow creek Road, Portage, IN 46368
Vicinity: 13302 Wicker Ave, Cedar Lake, IN 46303
Request: Petitioner is requesting Preliminary Plat approval to establish a one (1) lot subdivision.

- (1) Town Attorneys Comments : None
- (2) Petitioners Comments : None
- (3) Town Managers Comments : None
- (4) Building Departments Comments: Jack Slager received a drawing late afternoon. It is the first that has been seen of the latest proposal with the additional land that was purchased.
- (5) Remonstrators : None
- (6) Town Engineers Comments : None
- (7) Commissions Discussion: Town Attorney David Austgen recommends that the property re-advertise to public.
- (8) Commissions Decision: Motion to defer and to re-advertise the new property for another Preliminary Plan and Site Plan Approval made by John Foreman and seconded by Greg Parker. After roll call motion carried 6-0.

4. Thomas Kooi – Preliminary Plat Approval

Owner/Petitioner: Thomas & Candace Kooi, 16336 Morton Place, Lowell, IN 46356
Vicinity: 9436 W. 125th Court, Cedar Lake, IN 46303
Request: Petitioner is requesting Preliminary Plat approval to establish a three (3) lot subdivision.

- (1) Town Attorneys Comments: Legal's are in order.
- (2) Petitioners Comments: Thomas Kooi is looking to re-subdivide lots to make them buildable. There are currently no homes on the lots. The subdivision will have two (2) half acre lots and one (1) two point eight (2.8) acre lot with lake rights.
- (3) Town Managers Comments: None
- (4) Building Departments Comments: Jack Slager asked for an additional six (6) feet of right of way for road and also for addresses for lots have been designated. The lot grades need to be discussed and Lot 3 will be evaluated when a house comes in; where house will sit. H is comfortable with layout otherwise.
- (5) Remonstrators: Tim Zurawski of 5624 Southwest Moundview Drive, Topeka Kansas, owner of record for Lot 6 & 7 via letter and telephone to Jack Slager, is opposed to access through his lots. Marian (name inaudible) of 9435 W. 125th Court is concerned about restrictions on home size. Per Tim Kubiak, home has to meet current zoning ordinance. No maximum size however there is a minimum.
- (6) Town Engineers Comments: Donald Oliphant (CBBEL) stated that some of the actual plat stipulations that are on drawing are incorrect and need to be cleaned up. David Austegen stated that the legals are incomplete and basic core data is needed. A clean up on legals and drawing itself needs to be in order.
- (7) Commissions Discussion: A lengthy discussion ensued.
- (8) Commissions Decision: Robert H. Carnahan motions to continue the public hearing on Preliminary Plat Approval to the July 17, 2013 meeting. Motion seconded by Greg Parker. After roll call motion carried 6-0. John Foreman motions to cancel July 3, 2013 work session and Robert H. Carnahan seconded. After roll call motion carried 6-0.

Correspondence: None

Public Comment: None

Adjournment: The meeting was adjourned approximately 8:25 pm.

Press Session: None.

Jim Hunley

Greg Parker

Diane Cusack

Robert H. Carnahan, Vice President

Julie Rivera

Tim Kubiak, President

John Foreman

Attest: _____
April Allande, Recording Secretary