



## TOWN OF CEDAR LAKE – PLAN COMMISSION PUBLIC MEETING MINUTES

August 19, 2015 7:00 P.M.

Call To Order (Time): 7:00

Pledge to Flag:

Roll Call:

Present Diane Cusack

Present Jim Hunley

Present John Kiepura

Absent John Foreman

Present Patsy Casassa

Present Jerry Wilkening

Present Greg Parker

Present Donald Oliphant, Town Engineer – CBEL

Present Tim Kuiper, Town Attorney

Present Tim Kubiak, Building Commissioner

Present Brooke Faber, Recording Secretary

### Minutes:

A motion made by John Kiepura and seconded by Jerry Wilkening to approve July 15, 2015 Public Meeting & August 5, 2015 Minutes. Vote: 6-0

### Old Business:

#### **1. BP- Herman Fisher – Final Plat/ Site Plan**

Owner: Herman Fisher, 7404 E. Plank Trail, Frankfort, IL 60423

Petitioner: Cleon Stutler, 2155 Willowcreek Rd, Portage, IN 46368

Vicinity: 13302 Wicker Ave, Cedar Lake, IN 46303

Legal Description: PT NE NE S.29 T.34 R.9 (100X100FT.) .230 AC,  
PT NE1/4 NE1/4 S.29 T.34 R.9 1.037AC SUBJ TO ESMT,  
PT. NE NE 164 X 198FT. S.29 T.34 R.9 .761AC. SUBJ. TO EASEMENT,  
PT NE NE S.29 T.34 R.9 PERPETUAL R/W EASM'T 17.5X 198FT .079AC

Tax Key Number(s): 45-15-29-229-022.000-014, 45-15-29-229-021.000-014,  
45-15-29-229.019.000-014, 45-15-29-229-020.000-014

Request: Petitioner is requesting site plan approval to establish a one (1)-lot subdivision.

*Deferred from July 15, 2015 Public Meeting to Special Meeting*  
*Deferred from August 5, 2015 Special Meeting to Public Meeting*

1. Town Attorney's review: Properly advertised and deferred from last meeting.
2. Petitioner's Comments: Cleon Stutler, 2155 Willowcreek Rd., Portage, IN 46368 is present to get final plat approval.
3. Town Engineer's Comments: Don Oliphant sent out a letter today. There are some holes in the site plan along 133<sup>rd</sup>. Performance bond needs to be approved with the site plan. The final plat was good besides the 30ft sign easement needs to be extended 20ft and the sign needs to be move. The other comments are minor. The letter of credit should be \$ 56,082.40. Recommends approval contingency on final engineer comments.
4. Building Department Comments: Tim Kubiak agrees with Don Oliphant.
5. Commission's Discussion: Jim Hunley brought up the letter from McDonalds about the easement agreement. The easements will be the same just few adjustments.

A motion made by Jerry Wilkening and seconded by Diane Cusack to approve final plat and site plan contingent on final engineer comments and letter of credit for \$56,082.40.

Approve the final plat and site plan with the findings of facts, subject to engineer comments, final approval of the comments being satisfied, and to establish a letter of credit of \$56,082.40.

Diane Cusack	Jim Hunley	John Kiepura	Patsy Casassa	Jerry Wilkening	Greg Parker	Vote
Yes	No	No	Yes	Yes	Yes	4-2

## 2. Schilling Development- Lakeside Subdivision-Preliminary Plat/Site Plan Approval

Owner: Cedar Lake 133, LLC, PO Box 677, St. John, IN 46373  
Petitioner: Schilling Development, PO Box 677, St. John, IN 46373  
Vicinity: 5711 W. 133rd. Ave., Cedar Lake, IN, 46303  
Legal Description: THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWENTY-FIVE (25), TOWNSHIP THIRTY-FOUR (34) NORTH, RANGE NINE (9) WEST OF THE SECOND PRINCIPAL MERIDIAN, CONTAINING EITHY (80) ACRES, MORE ORO LESS, IN LAKE COUNTY, INDIANA. (E2. NW. S.25 T.34 R.9 80A.)  
Request: Petitioner is requesting Preliminary Plat approval, as required by Subdivision Control Ordinance No. 498. This is required to establish a two hundred (200) lot single-family subdivision that is currently zoned R2- Residential single family.

Deferred 30 days to August 19, 2015 Public Meeting.

1. Town Attorney's review: no comment
2. Petitioner's Comments: not present
3. Town Engineer's Comments: no comments
4. Building Department Comments: Tim Kubiak talked to Jack Slager who asked to be deferred to the September 16<sup>th</sup> meeting.
5. Commission's Discussion: no discussion
6. Commission's Decision:

A motion made by Patsy Casassa and seconded by Jerry Wilkening to defer until September 16, 2015 Public Meeting.

Diane Cusack	Jim Hunley	John Kiepura	Patsy Casassa	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	6-0

**New Business:**

**1. Jane Ball Elementary School- Amend Site Plan**

Owner: Hanover Community School Corporation, 9520 W. 133<sup>rd</sup> Ave., Cedar Lake, IN 46303  
Petitioner: Hanover Community School Corporation, 9520 W. 133<sup>rd</sup> Ave., Cedar Lake, IN 46303  
Vicinity: 13313 Parrish Ave., Cedar Lake, IN 46303 (Jane Ball)  
Legal Description: PT. NW. NW. 135X201.76X156.08X245X224.7X100X237X650X820X860FT.S.27  
T.34 R.9 Ex . W.35ft in R/W 14.717AC.  
Request: The Petitioner is requesting site plan review and final plat amendment.

- (1) Town Attorney's review: no comment.
- (2) Petitioner's Comments: Bill Hutton from Hutton & Hutton Architects & Engineers was present to discuss the proposed amendments.
- (3) Town Engineer's Comments: Don Oliphant issued a letter August 18, 2015. The comments are minor. The fence and placement needs to go to Board of Zoning Appeals to get approval.
- (4) Commission's Discussion: Discussion took place over the dumpster being located that close to Parrish Ave. and suggested it be moved to the back of the building where the other dumpsters are located.

A motion made by Diane Cusack and seconded by Patsy Casassa to approve amend site plan contingent on BZA approval and Don Oliphant's comments and amend the final plat.

Diane Cusack	Jim Hunley	John Kiepura	Patsy Casassa	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	6-0

**Update Item:**

**1. Zoning & Lighting Ordinance Update**

Public Comment: Kim Price, Watermark Engineering, representing for McDonalds was present to make sure that the easement would be moved to its original location. McDonalds will be willing to meet with BP owners to see what they can do.

Meeting adjourned at 7:50 P.M.

**Press Session:** Plan Commission Work Session Meeting – September 2, 2015 at 7:00pm

*The Town of Cedar Lake is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, please contact the Town Hall at (219) 374-7400.*