



**TOWN OF CEDAR LAKE – PLAN COMMISSION  
PUBLIC MEETING MINUTES  
May 18, 2016 7:00 P.M.**

Call To Order (Time): 7:00 p.m.

Pledge to Flag:

Roll Call:

Present Diane Cusack

Present Chuck Becker

Present John Kiepura

Present John Foreman

Present Richard Sharpe

Present Jerry Wilkening

Present Greg Parker

Present Donald Oliphant, Town Engineer – CBBEL

Present David Austgen, Town Attorney

Present Tim Kubiak, Director of Operations

Present Brooke Faber, Recording Secretary

**Minutes:**

A motion was made by Chuck Becker and seconded by John Kiepura to approve the minutes as presented for the April 20, 2016 Public Meeting and May 4, 2016 Work Session. Vote 7-0

**Old Business:**

**1. Thomas Taylor & Kathryn Devine Taylor-Preliminary Plat/Site Plan Approval**

Owner: Thomas Taylor & Kathryn Taylor, 14801 Clark Rd., Crown Point, IN 46303  
Petitioner: Thomas Taylor & Kathryn Taylor, 14801 Clark Rd., Crown Point, IN 46303  
Vicinity: 13221 Colfax St., Cedar Lake, IN 46303  
Legal Description: E.110FT OF S.60RDS. EX. S.350FT. OF SE SE S.23 T.34 R.9 1.386A.  
Tax Key Number(s): 45-15-23-478-001.000-043

**Request:** **Petitioner is requesting to create a four (4) lot subdivision to separate existing house and garage and create three (3) scenic lots.**

**Deferred from March 16, 2016 Public Meeting**  
**Deferred to May 18, 2016 Public Meeting**

1. Town Attorney's Review: None
2. Petitioner's Comments: None
3. Remonstrators: None
4. Town Engineer's Comments: None
5. Building Department Comments: None
6. Commission's Discussion: None
7. Commission's Decision: None

A motion was made by Jerry Wilkening and seconded by John Foreman to defer to the June 15, 2016 Public Meeting.

Diane Cusack	Chuck Becker	John Kiepura	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

**2. Cedar Lake MHC, LLC-Final Plat Approval**

Owner: Cedar Lake MHC, LLC, 11609 Woodmar Place, Cedar Lake, IN 46303  
Petitioner: Paul Kats, 10241 Idlewild Lane, Highland, IN 46322  
William Jansma, 11609 Woodmar Pl., Cedar Lake, IN 46303  
Vicinity: 9001 W. 133<sup>rd</sup> Place, Cedar Lake, IN 46303  
Legal Description: PT. N1/2 NW. S.27 T.34 R.9 6.504A. --X634.30X654.90X186X851.80X351X --X--FT. **and** TRI. PAR. 724.1X22X724.43FT. E. OF CI & L RR NW NW S.27 T.34 R.9 .18A. PAR. 5 EX . N.120.3FT. **and** IRREG. PAR. VAC. R/W IN NE NW BET E. & W. CENT. LINE & N. LINE AVE. A. EXTENDED S.27 T.34 R.9  
Tax Key Number(s): 45-15-27-127-005.000-014  
45-15-27-102-001.000-014  
45-15-27-127-013.000-014

**Request:** **Petitioner is requesting a one (1) lot subdivision and zone change to PUD**

**Deferred from March 16, 2016 Public Meeting**  
**Deferred to May 18, 2016 Public Meeting**

1. Town Attorney’s Review: None
2. Petitioner’s Comments: William Jansma stated think they have everything worked out they have the engineering approved, the survey. On the PUD guidelines added on the town may enforce the ordinances and rules and regulations in their absence.
3. Remonstrators: None
4. Town Engineer’s Comments: Don Oliphant stated they addressed all of their comments and recommendation for approval today.
5. Building Department Comments: Tim Kubiak stated if the guidelines were attached to the plat. Just make sure it is added.
6. Commission’s Discussion: David Austgen stated that this is what we asked for. These items should be appended to the PUD ordinance that has been processed and appended to the plat, so it runs with the land. John Kiepura asked about the PUD size. The developmental variance was granted for the size of the PUD.

A motion was made by John Foreman and seconded by Richard Sharpe to approve the Final Plat Approval with the attending approvals that were printed on May 17, 2016 and added to the mylars.

Diane Cusack	Chuck Becker	John Kiepura	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

**3. Henn’s Transporation & Warehousing-Preliminary Plat-2 Lot Subdivision**

Owner: Richard and Robert Henn, Henns Transporation & Warehousing, LLC, 13733 Wicker Ave., Cedar Lake, IN 46303

Petitioner: Richard Henn, 13733 Wicker Ave., Cedar Lake, IN 46303

Vicinity: 13109 Wicker Ave., Cedar Lake, IN 46303

Legal Description: W.280FT & S.100FT LYG E OF W 280 FT OF PAR 531.9X495.3X534X495.3FT NW SW S.21 T. 34 R.9 EX TRI PAR 3.619A & TRI PAR 100X162.55X 127.25FT. .146A. **and** E. 7A. OF N. 30RDS. OF S. 130RDS. OF W. 80RDS. OF SW. S.21 T.34 R.9 7A. **and** PT. N. 25A. OF NE. SW. LY'G W. OF I.H. RR. & S. OF LINE 495FT. S. OF N. LINE N. 25A. S.21 T.34 R.9 1.766A. **and** PT. N1/2 SW ADJ. W. LINE CI & S.R.R 667.38X299.72X237X160.45X403.62X 139.25FT. S .21 T.34 R.9 3.024A. **and** EAST 424.50 OF THE W 923.90 OF THE NORTH 525.90 OF THE SOUTH 1659.25FT EX. S145. 40 OF THE E 212.20FT. SW1/4 S.21 T.34 R.9 4.417 AC. SUBJ. TO ROAD EASM'T **and** E.249.7ft of W.499.49ft. of N.204ft of S.1329.01ft of SW.1/4 S.21 T.34 R.9 1.153 Ac **and** S. 50FT. OF N. 330FT. OF S. 1650 FT. OF W. 499.4FT. OF W1/2 SW. 50X499.4FT. E. 1 6FT. PUBLIC HWY S.21 T.34 R.9 .564A.

Tax Key Number(s): 45-15-21-301-006.000-014 **and** 45-15-21-301-016.000-014 **and** 45-15-21-326-002.000-014 **and** 45-15-21-326-003.000-014 **and** 45-15-21-301-015.000-014 **and** 45-15-21-351-002.000-014 **and** 45-15-21-301-014.000-014

**Request:                      Petitioner is requesting a 2-lot subdivision**

1. Town Attorney’s Review: David Austgen stated the proofs of publication are in evidence and two newspapers timely made. The certified list of adjacent owners is in evidence and it appears all required to be noticed were, by the green card return receipts on review by the staff and his review now.
2. Petitioner’s Comments: Don Torrenga, Torrenga Engineering, is here with Dick Henn and Rob Henn of Henn’s Transportation. Received a letter from the engineer with a number of items to be taken care of. Unfortunately just got the plans to him. Did not make any changes to the storage facility itself, changed the entrance road slightly. The reason was to stay out of that low area. Also took detention pond, which was in the low area, and moved that to a higher level so it was not in the depressional storage. Created the forty (40) foot green space along the north, east and the south boundaries of the properties. Also dedicated the green space as a conservation easement. Staying away from all trees in those areas.
3. Remonstrators: Richard Zarr, 10905 W. 129<sup>th</sup> Ave., concerned with drainage in the area. Nothing against what they are doing. Sue Linz, 13104 Osborn St., just concerned with what outside storage is going to look like. Appreciates board taking time to look at their concerns.

- 4. Town Engineer’s Comments: Don Oliphant stated just received the resubmittal. Has not had time to look at properly. Right now his previous rider from May 2, is still active until we can see what the changes were.
- 5. Building Department Comments: Tim Kubiak stated we have two items at hand, one being the two (2) lot subdivision and the second being the site plan. Even though they are going together, would like to see us review the two (2) lot subdivision and then the site plan. They brought the access agreement for the two (2) properties.
- 6. Commission’s Discussion: Jerry Wilkening asked if the north lot would have a Wicker Avenue address. The answer was different address for each. John Foreman asked if a special public meeting could be done, if they get everything in order with Don Oliphant. Discussion about fire hydrants ensued. John Foreman asked if there would be bathrooms on property. Answer was not at this time. Jerry Wilkening expressed concerns with color and size of buildings. Discussion about drainage issues. Tim Kubiak asked questions about zoning. Jerry Wilkening asked if the outdoor storage had to be a licensed vehicle. Answer was yes. Don Oliphant asked if they would consider a six (6) to eight (8) foot privacy fence. David Austgen stated that this discussion is very valuable, but it should be had at the Work Session in two (2) weeks, that would give everyone a chance to review it. His recommendation would be to have a work session then finish up at the next public meeting, not to have a special public meeting. On the next agenda add a separate site plan approval with the primary plat being another.

A motion was made by Chuck Becker and seconded by Jerry Wilkening to defer to the June 15, 2016 Public Meeting.

Diane Cusack	Chuck Becker	John Kiepura	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

4. North Centennial Development, LLC-PUD Amendment

Owner: Indiana Land Trust Company Trust#120096  
Petitioner: North Centennial Development, LLC, 8051 Wicker Ave., Suite A, St. John, IN 46373  
Vicinity: 141st Avenue, Cedar Lake, IN 46303  
Legal Description: S.1/2 SE.1/4 & S.1/2 NW.1/4 SE.1/4 S.28 T.34 R.9 & S.1/2 NE.1/4 SW.1/4 & Pt. E.1 /2 SE.1/4 SW.1/4 all Ly'ng E. of RR S.28 T.34 R.9 36.67Ac and Pt. SW.1/4 SE.1/4 S.28 T.34 R.9 2.69Ac  
Tax Key Number(s): 45-15-28-451-002.000-014  
45-15-28-459-001.000-014

**Request: Petitioner is requesting PUD Amendment to reduce density and increase single family home lots**

- 1. Town Attorney’s Review: David Austgen stated the notices in the newspaper have been made timely for the public hearing to be conducted tonight.
- 2. Petitioner’s Comments: None
- 3. Remonstrators: None
- 4. Town Engineer’s Comments: None
- 5. Building Department Comments: None
- 6. Commission’s Discussion: None

A motion was made by John Foreman and seconded by Richard Sharpe to defer to the June 15, 2016 Public Meeting

Diane Cusack	Chuck Becker	John Kiepura	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

5. North Centennial Development, LLC-Letter of Credit/Bonds

Owner: Indiana Land Trust Company Trust#120096  
Petitioner: North Centennial Development, LLC, 8051 Wicker Ave., Suite A, St. John, IN 46373  
Vicinity: Centennial Subdivision

**Request: Petitioner is requesting Letter of Credit vs. Bond**

- 1. Town Attorney’s Review: None

- 2. Petitioner’s Comments: None
- 3. Remonstrators: None
- 4. Town Engineer’s Comments: None
- 5. Building Department Comments: None
- 6. Commission’s Discussion: None

A motion was made by Jerry Wilkening and seconded by Diane Cusack to defer to the June 15, 2016 Public Meeting.

Diane Cusack	Chuck Becker	John Kiepora	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

6. Monastery Woods Development, LLC-Preliminary Plat Approval

Owner: Monastery Woods Development, LLC, c/o Richard E. Anderson, 9211 Broadway, Merrillville, IN 46410

Petitioner: Monastery Woods Development, LLC, c/o Richard E. Anderson, 9211 Broadway, Merrillville, IN 46410

Vicinity: 10035A W. 130<sup>th</sup> Ln., Cedar Lake, IN 46303  
10035B W. 130<sup>th</sup> Ln., Cedar Lake, IN 46303  
10035C W. 130<sup>th</sup> Ln., Cedar Lake, IN 46303  
10035D W. 130<sup>th</sup> Ln., Cedar Lake, IN 46303  
13040C Grasselli St., Cedar Lake, IN 46303  
13044 Grasselli St., Cedar Lake, IN 46303  
13040 Grasselli St., Cedar Lake, IN 46303

Legal Description: Monastery Woods Phase 2 Pt of Lot 293 (10035-A) W. 130th Ln) Ex. W'ly 10ft and  
Monastery Woods, Phase 2 Pt of Lot 293 (10035-B) W. 130th Ln) and  
Monastery Woods, Phase 2 Pt of Lot 293 (10035-C) W. 130th Ln) and  
Monastery Woods, Phase 2 Pt of Lot 293 (10035-D) W. 130th Ln) and  
Monastery Woods Phase 2 S.30.0ft of Lot 294 and  
Monastery Woods Cottage Homes Lot 1 and  
Monastery Woods Cottage Homes Lot 2 and

Tax Key Number(s): 45-15-21-401-041.000-014  
45-15-21-401-042.000-014  
45-15-21-401-043.000-014  
45-15-21-401-044.000-014  
45-15-21-401-040.000-014  
45-15-21-406-018.000-014  
45-15-21-406-017.000-014

Request: **Petitioner is requesting plat amendment to change one (1) 4-unit townhome lot to accommodate three (3) cottage homes and to adjust lot line on two (2) existing cottage home lots**

- 1. Town Attorney’s Review: David Austgen stated the public hearing notices in the newspapers have been made, it appears that a couple of the green cards are not back, subject to verification to that. The white mailing slips are in evidence.
- 2. Petitioner’s Comments: Richard Anderson, 9211 Broadway, Merrillville, IN 46410. Michael Anderson is also here. This is the west side of the Monastery Woods Subdivision. This was done in 2006, all the pink was townhomes, then in 2013 came before you to change townhome lots to cottage homes. There is one (1) lot 293 which is still a townhome lot and then there are two (2) cottage home lots, lot one (1) and two (2) and what we are proposing is to adjust the lot line. This is a down numbering because there was the ability to put six (6) units in and now we are talking about five (5) and instead of R-M zoning, the next petition is rezoning to R-2. One of the issues with the plat, there is a path that was created to get to the cul-de-sac from the school. Members of the Town Council say this needs to be worked out as part of this process, if the path stays here then will just stay with the one (1) four (4) plex and the two (2) blocks. Is requesting the Plan Commission approve the plat amendment based on a couple things. Subject to this lot being rezoned, if the lot isn’t rezoned, won’t do this. Was suggested to give \$10,000 to the town that would be used for the path. Part of the plat amendment when it is actually signed, the town would relinquish as far as giving back this. It was deeded to the town in 2014 and that would come back and you would use the money to put the path in on your own property.
- 3. Remonstrators: None
- 4. Town Engineer’s Comments: Don Oliphant stated they issued a letter on May 6, very minor comments, pending BZA approval and the actual relinquishment of the actual

deed. If the Town Council is in favor, would need to see a vacation certification and signature line put on the plat.

- 5. Building Department Comments: Tim Kubiak talked about the sidewalk.
- 6. Commission’s Discussion: The board discussed the path and sidewalk.

A motion was made by John Foreman and seconded by Richard Sharpe seeking approval of the plat amendment, subject to the approval by the Town Council of the rezone of the property which is lot 293 from R-M to R-2. The approval by the Town Council of the relinquishment of the path for a negotiated amount. The approval of the Town Engineer of any plat requirements.

Diane Cusack	Chuck Becker	John Kiepura	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

7. Monastery Woods Development, LLC-Rezone

Owner: Monastery Woods Development, LLC, c/o Richard E. Anderson, 9211 Broadway, Merrillville, IN 46410

Petitioner: Monastery Woods Development, LLC, c/o Richard E. Anderson, 9211 Broadway, Merrillville, IN 46410

Vicinity: 10035A W. 130<sup>th</sup> Ln., Cedar Lake, IN 46303  
10035B W. 130<sup>th</sup> Ln., Cedar Lake, IN 46303  
10035C W. 130<sup>th</sup> Ln., Cedar Lake, IN 46303  
10035D W. 130<sup>th</sup> Ln., Cedar Lake, IN 46303  
13040C Grasselli St., Cedar Lake, IN 46303

Legal Description: Monastery Woods Phase 2 Pt of Lot 293 (10035-A) W. 130th Ln) Ex. W'ly 10ft and  
Monastery Woods, Phase 2 Pt of Lot 293 (10035-B) W. 130th Ln) and  
Monastery Woods, Phase 2 Pt of Lot 293 (10035-C) W. 130th Ln) and  
Monastery Woods, Phase 2 Pt of Lot 293 (10035-D) W. 130th Ln) and  
Monastery Woods Phase 2 S.30.0ft of Lot 294 and

Tax Key Number(s): 45-15-21-401-041.000-014  
45-15-21-401-042.000-014  
45-15-21-401-043.000-014  
45-15-21-401-044.000-014  
45-15-21-401-040.000-014

**Request: Petitioner is requesting to change zoning classification from R-M and R-2**

- 1. Town Attorney’s Review: David Austgen stated the legals are in order.
- 2. Petitioner’s Comments: Richard Anderson, 9211 Broadway, Merrillville, IN 46410
- 3. Remonstrators: None
- 4. Town Engineer’s Comments: None
- 5. Building Department Comments: Tim Kubiak stated he would rather see the cottage home.
- 6. Commission’s Discussion: None

A motion was made by John Foreman and seconded by Chuck Becker for the Monastery Woods rezone seeking approval from the Town Council to agree to an amount for the path.

Diane Cusack	Chuck Becker	John Kiepura	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

**Update Item:**

- 1. **Zoning & Lighting Ordinance** – David Austgen stated the Lighting Ordinance is awaiting regulatory activities in Indianapolis and the Zoning Ordinance is in his hands.

**Public Comment:** Jerry Wilkening, 10826 W. 131<sup>st</sup> Ave., regarding what they were told about the Henn property, running businesses in and out of a storage area does not make sense to him. That’s everyday, landscape trailers, lawn mowers turn into snow plows, backhoes all that stuff. If there is outside storage, need stipulations on it being storage. Some kind of verbage that eliminates, because obviously there was a plan for it. Greg Parker stated he agrees, the only thing is they were not ready tonight. John Foreman stated doesn’t know if they can do that. I should be able to go in and out as many times as I want. Jerry Wilkening stated that the outdoor storage on the paper now becomes more outdoor storage to the north of lot one (1). Don Oliphant stated if they want to expand they would need to come back before the board to

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get another site plan approval or amendment. John Kiepura stated they have changed what the outdoor storage was gonna be from the original plan. Greg Parker stated that with all due respect to the Henn's, Vanco subdivision is a nice subdivision and people there take pride in their property. Any decision that gets made here, should be made with the consideration of those residents.

Ruth Linz, 10820 W. 131<sup>st</sup> Ave, her backyard over looks what used to be the Great Oaks Drive In. Has a couple of concerns, there have been variances given to the Henn Family, so that tells her they got this and they got that, so maybe we should get something. Legally who are we dealing with, Henn Construction, Henn's Transportation & Warehousing, Econo Storage or Great Oaks Storage. Concerns with construction equipment being stored there. Concerns with drainage and mosquito abatement.

**Adjournment:** 8:15 p.m.

**Press Session:** Plan Commission Work Session – June 1, 2016 at 7:00pm

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**Chuck Becker**

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**Diane Cusack**

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**John Foreman**

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**Greg Parker**

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**John Kiepura**

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**Richard Sharpe**

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**Jerry Wilkening**

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**Attest: Brooke Faber, Recording Secretary**

*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.*