



**TOWN OF CEDAR LAKE – PLAN COMMISSION
PUBLIC MEETING MINUTES
June 15, 2016 7:00 P.M.**

Call To Order (Time):

Pledge to Flag:

Roll Call:

Present Diane Cusack

Present Chuck Becker

Absent 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

Others Present: Michelle Bakker, Building Administrator, Robert Carnahan, Town Council.

Minutes:

A motion was made by Chuck Becker and seconded by Jerry Wilkening to approve the May 18, 2016 Public Meeting and June 1, 2016 Work Session minutes as presented. Vote 6-0

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 from April 20, 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: David Austgen stated that after a number of deferrals by folks and particularly when they are out of communication with you, it may not be a great policy to continue carrying items from month to month without communication or update. Greg Parker asked for someone to reach out to them by the next meeting, will defer it one more time.

A motion was made by Richard Sharpe and seconded by Chuck Beck to defer to the next meeting.

Diane Cusack	Chuck Becker	John Kiepura	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	No	Yes	Absent	Yes	Yes	5-1

2. Henn's Transportation & Warehousing-Preliminary Plat-2 Lot Subdivision

Owner: Richard and Robert Henn, Henns Transportation & 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 EASMT **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 site plan approval

- 1. Town Attorney’s Review: None
- 2. Petitioner’s Comments: None
- 3. Remonstrators: None
- 4. Town Engineer’s Comments: Don Oliphant stated he received a resubmittal on Monday night. Still working on it, at last work session thought we stated need it five days before the meeting.
- 5. Building Department Comments: Michelle Bakker stated the petitioner called and said they are still waiting on their engineering and asked to be deferred.
- 6. Commission’s Discussion: None

A motion was made by Chuck Becker and seconded by Diane Cusack to defer to the next meeting.

Diane Cusack	Chuck Becker	John Kiepura	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Absent	Yes	Yes	6-0

Request: Petitioner is requesting a 2-lot subdivision

- 1. Town Attorney’s Review:
- 2. Petitioner’s Comments:
- 3. Remonstrators:
- 4. Town Engineer’s Comments:
- 5. Building Department Comments:
- 6. Commission’s Discussion:
- 7. Commission’s Decision:

Motion: _____1st _____2nd

Diane Cusack	Chuck Becker	John Kiepura	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote

3. 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: None
2. Petitioner’s Comments: Ed Recktenwall, Olthof Homes, two weeks ago we discussed this PUD Amendment, questions about open space. We provided an exhibit overlay of the proposed over what the existing was. Don Oliphant was kind enough to highlight it to better explain what outlots are being changed. Portions of outlot RT were going away, extending the single family back yards further to the property line. Outlot U was reduced slightly in platting out the new single family lot lines. Outlot D was removed to add some single family lots back in. Outlot G was removed, it was also an access easement for the town home building that was there, it was not considered usable open space. Did receive a final round of comments last Thursday, engineer is currently revising the plans, they are very minor. Did get plat revisions completed today, will send over to Don. Hoped to seek an approval, but still a few things to finish up.
3. Remonstrators: None
4. Town Engineer’s Comments: Don Oliphant stated it is a policy decision, to go through each outlot, all pink outlots are alleyways that are essentially remaining the same, just changing to an outlot to drainage easement/utility easement/ingress, egress easements, so those are not technically green space. Outlot G, you can tell where the two old town homes were fitting in there, along Freedom Way, so it is more common green space. If you look at it from a subdivision stand point, can see all the open areas throughout the subdivision, some of them include detention basins. The park is on the northeast side, roughly one and a half (1½) acres. There are still significant open spaces in the subdivision. One engineering comment, Tradewind Place, which is the road to the north of outlot D, is shown as a dead end, right now the rest of the Kretz farm is not annexed into the town. Now that the lots extend all the way to the east of the property, how do you feel about a dead end road or a cul-de-sac. Subdivision ordinance requires some type of turn around.
5. Building Department Comments: Tim Kubiak stated that the way this subdivision is layed out, there is a lot of green space. The two (2) acres that we lose seems minimal considering they are changing the multi family to more single family. Seems like a positive move.
6. Commission’s Discussion: Discussion ensued on whether this would be a minor change. David Austgen stated this is not a public hearing, approval still needed. Tim Kubiak stated there was never an official motion to determine if a minor or major change. Greg Parker asked if there was a motion to approve this. David Austgen stated is it ready to be approved or the threshold question of a major or minor change and requires a public meeting or not. Ed Recktenwall stated if a minor change, no public hearing involved. David Austgen stated that is correct. Jerry Wilkening asked how much green space are we getting rid of. Don Oliphant stated about two and a quarter (2 ¼) acres. Greg Parker stated based on what he sees it does not seem like a major change. John Kiepura stated they are staying within the requirements for green space, considers it a minor change. Greg Parker asked if we vote on this to be a minor change, then we do not need to have a public hearing. David Austgen stated that is right.

A motion was made by Chuck Becker and seconded by Jerry Wilkening that this is a minor change.

Diane Cusack	Chuck Becker	John Kiepura	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Absent	Yes	Yes	6-0

New Business:

1. Centennial Phase 10 – Final Plat Approval

Owner: Olthof Homes, 8051 Wicker Ave., St. John, IN 46373
Petitioner: Olthof Homes, 8051 Wicker Ave., St. John, IN 46373
Vicinity: Centennial Phase 10, Cedar Lake, IN 46303

Request: Petitioner is requesting final plat approval for Phase 10

1. Town Attorney’s Review: None
2. Petitioner’s Comments: Ed Recktenwall stated they are requesting a deferral.
3. Remonstrators: None
4. Town Engineer’s Comments: Don Oliphant stated they are doing inspections with public works as they get things done. Will have more at next meeting.
5. Building Department Comments: None
6. Commission’s Discussion: None

A motion was made by Diane Cusack and seconded by Richard Sharpe

Diane Cusack	Chuck Becker	John Kiepura	Richard Sharpe	John Foreman	Jerry Wilkening	Greg Parker	Vote
Yes	Yes	Yes	Yes	Absent	Yes	Yes	6-0

Update Item:

- 1. Zoning & Lighting Ordinance – Update-**Working on a schedule for those items. Hope to have a committee to participate in it.

Public Comment: None

Adjournment: 7:26 p.m.

Press Session: Plan Commission Work Session – July 6, 2016 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.

Chuck Becker

Diane Cusack

John Foreman

Greg Parker

John Kiepura

Richard Sharpe

Jerry Wilkening

Attest: Brooke Faber, Recording Secretary