



**TOWN OF CEDAR LAKE – PLAN COMMISSION
WORK SESSION MINUTES
August 3, 2016 7:00 P.M.**

Call To Order (Time):

Pledge to Flag:

Roll Call:

Absent 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

Absent David Austgen, Town Attorney

Present Tim Kubiak, Director of Operations

Present Brooke Faber, Recording Secretary

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 from May 18, 2016 Public Meeting
Deferred from June 15, 2016 Public Meeting
Deferred from July 20, 2016 Public Meeting
Deferred to August 17, 2016 Public Meeting

1. Petitioner's Comments:
2. Town Engineer's Comments:
3. Building Department Comments:
4. Commission's Discussion:

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 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 site plan approval

Deferred from May 18, 2016 Public Meeting
Deferred from June 15, 2016 Public Meeting
Deferred from July 20, 2016 Public Meeting

1. Petitioner's Comments: Mr. Henn stated they have no issues at the other facilities with those hours. If the entrance was through a residential subdivision he would agree. Outdoor storage we listed what is allowed and what isn't. Is there something specific don't want there.
2. Town Engineer's Comments: Don Oliphant stated nothing has change from the July 19 letter. Don Torrenga sent me quick plan for the water now that they have the as built so the alignments changed slightly, moved some easements around. The only thing with the letter is the conservation easement, still only have it on the south limit, no longer on the north or east side. Requesting a building setback line instead, which will limit the building thirty (30) feet, but won't limit them clearing the trees. Greg Parker asked if that is workable or can handle administratively. This would be a policy decision, if you want to let that go, then you would have to address screening issues along the railroad and north side. If we take that out, they can clear it in that thirty (30) foot area, can't build anything there, but can clear it. That would violate zoning ordinance for screening. The forty (40) feet conservation easement kind of benefits where you don't have to buy screen, it is naturally screened. Mr. Henn stated right now they are not planning to clear the space. The problem with the green space is why we are giving the railroad forty (40) feet; the rail makes more noise than anything. If we give up forty (40) along that line, the north side and forty (40) feet on the south line, that is two (2) acres. Greg Parker asked if they do clear it are they willing to screen it. Mr. Henn stated yes. Tim Kubiak stated the railroad track side does not require screening, just on the north side. Discussion on screening ensued.
3. Building Department Comments: Tim Kubiak stated the only issue is letter E. is the typically items that can be driven in and on wheels. If it doesn't say the word typically, would be good. As an enforcement issue thinks the word typically should be off that sentence. The Town noise ordinance is from 10:00 p.m. to 6:00 a.m. All the other ones are open at 6:00 a.m. Mr. Henn would be fine with 7:00 a.m. on Sunday.
4. Commission's Discussion: Greg Parker stated at the last meeting he asked commissioners to have some thoughts ready for restrictions for this thing, so we could move this along. Chuck Becker said for hours instead of 6:00 in the morning, 7:00 a.m. to 9:00 p.m. Take typical out, wants a defined list of what outdoor storage would be. Jerry Wilkening had concerns for height of light pole on corner and outdoor storage will be added in phases as the buildings are added. John Kiepura is good. Richard Sharpe is good with what Chuck stated. John Foreman stated what Richard Henn had in the letter was sufficient. Although 6:00 a.m. may seem early, most people are up and getting ready for work or school. Fine with everything in the letter. Discussion on fire hydrants ensued. Greg Parker asked if any neighbors would like to speak about this. Ruth Linz, 10820 W. 131st Ave., her question is at the last work session someone mentioned a covenant that would govern back there and how it would be written legally. Tim Kubiak stated they did provide a list. Greg Parker stated we could have Mr. Austgen draft that. Don Oliphant stated that is what David recommended. Ms. Linz also stated concerns for if this property is sold down the road. Greg Parker stated the restrictions and covenants would follow the property. She also asked for clarification on what type of trailers. Susan Linz, 13114 Osborn St., she agrees with what Ruth Linz stated. If they have to compromise on hours, 6:00 a.m. would be ok. Would like everything to be held in the covenant. Does not want to see a mini junk yard. Discussion on the noise ensued.

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

Deferred from May 18, 2016 Public Meeting
Deferred from June 15, 2016 Public Meeting
Deferred from July 20, 2016 Public Meeting

1. Petitioner's Comments: Mr. Henn to allow as the proposed plan with the Special Use Variance.
2. Town Engineer's Comments: Don Oliphant stated will need to revise and add that building line to the plat.
3. Building Department Comments: None
4. Commission's Discussion: None

4. 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

Deferred from June 15, 2016 Public Meeting
Deferred to August 17, 2016 Public Meeting

1. Petitioner's Comments: None
2. Town Engineer's Comments: Don Oliphant stated a week before our last meeting they were getting all their infrastructure in, done several proof rolls of the aggregate base, installed binder the week before the last public meeting submitted as built the Monday before, they were cutting it close. Went out and did some final inspections, the binder they installed in Phase 10 several sections were already starting to fail. What we figured out is after they did the aggregate proof roll, they waited to cap it and it rained a couple times. This was in several areas, they are in the process of trying to figure out what can be done. Also several areas that are holding water, that shouldn't be holding water. Something is wrong with their layout potentially. They submitted some as built for some curb drains and there are some issues with it. Also did a review on the as built, which includes all the underground infrastructure. The storm structures had some issues, passed visual inspections, but the grades are far enough off that the design slopes are way below what they should be. All detention basins will be tied together so is critical they are laid at right slopes. These are close to a foot off and in the wrong direction. They are working to correct them. Recommend they do a proof roll on the binder, we typically don't require.
3. Building Department Comments: None
4. Commission's Discussion: Discussion ensued on conditions of roads and maintenance bonds.

5. Watt Holdings, LLC – Preliminary Plat/3-Lot Subdivision

Owner: Monte Watt, 11411 135th Pl., Cedar Lake, IN 46303
Petitioner: Watt Holdings, LLC, 11411 W. 135th Pl., Cedar Lake, IN 46303
Vicinity: 11255 to 11500 W. 136th Pl., Cedar Lake, IN 46303
Legal Description: Muir Woods Outlot A and Muir Woods Outlot B and Muir Woods Outlot C and PT SE1/4 NE1/4 S.29 T.34 R.9 0.209 Ac
Tax Key Number(s): 45-15-29-278-011.000-014 and 45-15-29-278-012.000-014 and 45-15-29-278-013.000-014 and 45-15-29-278-014.000-014

Request: Petitioner is requesting Preliminary Plat/3-Lot Subdivision

Deferred from July 20, 2016 Public Meeting

1. Petitioner's Comments: Monte Watt stated deferred because of drainage issues. Did have a meeting down there with Tim Kubiak, Don Oliphant and Bob Carnahan. Just want to hear a report on what they found. Have done some work on the northwest corner of Linda Hughes property. Need to put a structure on Lots 5 & 6. Have two separate issues, the thing behind Csikos want to get fixed and also want to go ahead with the subdivision, which is not connected to those lots. It is their decision if they want to hold off on the subdivision till it is fixed. Can do both in parallel.
2. Town Engineer's Comments: Don Oliphant stated he was out there and looked at the two issues. Requested his engineer to provide a topo of the area. Gave them an idea of how it should be fixed, waiting to get something to review. The caveat with this creek is part of it is not within the town, all of it is on private property, no easements.
3. Building Department Comments: Tim Kubiak stated we found considerable issues with the sanitary. The lift station goes into the high water alarm every time it rains hard. A lot of ground water infiltration into the lift station. Still working on where it is coming from. Linda Hughes sewer tap goes right into the manhole where it turns and goes west. In the middle of 41 there is a dip in the sewer line. Still investigating.
4. Commission's Discussion: Greg Parker read into record a letter from the Storm Water Board would like all building to stop until an investigation can be

completed. Greg Parker stated it is to Mr. Watt's benefit to get everything fixed. Will defer until hear from Storm Water. Jerry Wilkening asked if we have two separate issues or will it all be blended together. Don Oliphant stated the water coming down Muir is part of Csioks. Monte Watt stated we talked about how we can alleviate the water sheeting across the cul-de-sac and piling up all along the side of the curb. Talking about raising the curb and get some elevation over there. Don Oliphant stated that how it should have been designed in the first place is your overflow events like that when they rush down the road they are suppose to go to your retention basin, not somebody's front yard. Would have to do some substantial grade changes. The thought is to try to pitch that cul-de-sac away from Mr. Csioks' property and get it down his lot line. Will need an overflow swale as well. The inlet capacity is not going to be close to handling that water. Cannot strictly rely on pipe, it is going to have to go through a ditch and some type of engineering to get it away from this property. Mr. Watt stated right now they are working on straightening up the retention pond and get that draining properly. Greg Parker said he should wait and come back to the next work session rather than coming back for a public meeting that we will probably not know anything.

6. David McDaniel – Preliminary Plat/1-Lot Subdivision

Owner: David McDaniel, PO Box 711, Cedar Lake, IN 46303
Petitioner: David McDaniel, PO Box 711, Cedar Lake, IN 46303
Vicinity: 7129 Vermillion, Cedar Lake, IN 46303
Legal Description: Pt. NE.1/4 NW.1/4 S.23 T.34 R.9 (88x232ft) 0.468Ac
Tax Key Number(s): 45-15-23-132-005.000-043

Request: Petitioner is requesting Preliminary Plat/1-Lot Subdivision

Deferred from July 20, 2016 Public Meeting
Deferred to August 17, 2016 Public Meeting

1. Petitioner's Comments:
2. Town Engineer's Comments:
3. Building Department Comments:
4. Commission's Discussion:

New Business:

1. Mike & Amie Scharnke – Preliminary Plat/1-Lot Subdivision

Owner: Mike & Amie Scharnke, 424 Siebert Dr., Schererville, IN 46375
Petitioner: Mike & Amie Scharnke, 424 Siebert Dr., Schererville, IN 46375
Vicinity: 6413 W. 1334d Ave., Cedar Lake, IN 46303
Legal Description: E.20 RODS OF N.25 RODS EX. E. 170FT. S.26 T.34 R.9 1.518AC.
Tax Key Number(s): 45-15-26-226-003.000-043

Request: Petitioner is requesting Preliminary Plat/1-Lot Subdivision

1. Petitioner's Comments: Build a house. Doing the plot this week.
2. Town Engineer's Comments: Don Oliphant stated had some minor comments on the overall plat. Dedicating thirty (30) foot of right away on 133rd, building lines, zoning stuff. Sent a copy to their surveyor. The neighbor's driveway is partially on their property so we requested they put a small easement around it so they have access in the future.
3. Building Department Comments: Tim Kubiak stated this is one of those items that it was a meets and bounds piece of property and wasn't a lot of record. Creating a buildable piece of property.
4. Commission's Discussion: Discussion on name of subdivision ensued. Greg Parker stated this seems pretty straight forward.

Update Item:

1. **Zoning & Lighting Ordinance – Update - None**
2. **Monastery Woods South – Performance Letter of Credit – Expires 10-29-16 – Don Oliphant stated it was put on as a reminder. They will likely have to extend it. Can roll it into maintenance before it expires.**

Public Comment: None

Adjournment: 7:54 p.m.

Press Session: Plan Commission Public Meeting – August 17, 2016 at 7:00pm

Chuck Becker

Diane Cusack

John Foreman

Greg Parker

John Kiepora

Richard Sharpe

Jerry Wilkening

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.