



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

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

Pledge to Flag:

Roll Call:

Absent Diane Cusack

Present Chuck Becker

Present John Kiepura

Absent John Foreman

Present Richard Sharpe

Present Jerry Wilkening

Present Greg Parker

Present Donald Oliphant, Town Engineer – CBEL

Present 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 46307
Petitioner: Thomas Taylor & Kathryn Taylor, 14801 Clark Rd., Crown Point, IN 46307
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 from August 17, 2016 Public Meeting
Deferred to September 21, 2016 Public Meeting

1. Petitioner's Comments: Paul Banter stated, they have brought an engineer. Doug with McMahon, brought on to facilitate the drawings that Crock & Associates have done. Working with Mr. Oliphant to get the issues that he had resolved. Have not had a chance to review drawings yet. Discussion on street lights ensued.
2. Town Engineer's Comments: None
3. Building Department Comments: None
4. Commission's Discussion: Would need plans one week before next work session, October 5. Just hung up on where utilities are going to go. Need it on the drawing.

2. 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 August 17, 2016 Public Meeting
Deferred to September 21, 2016 Public Meeting

1. Petitioner's Comments: None
2. Town Engineer's Comments: None
3. Building Department Comments: None
4. Commission's Discussion: None

3. 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 from August 17, 2016 Public Meeting
Deferred to September 21, 2016 Public Meeting

1. Petitioner's Comments: None
2. Town Engineer's Comments: None
3. Building Department Comments: None
4. Commission's Discussion: None

4. 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

Deferred to September 21, 2016 Public Meeting

1. Petitioner's Comments: None
2. Town Engineer's Comments: None
3. Building Department Comments: None
4. Commission's Discussion: None

New Business:

1. Kubiak Holdings – Preliminary Plat/1-Lot Subdivision

Owner: Kubiak Holdings, 2035 Rue De St. Germaine, Austin, TX 78746
Petitioner: Robert Kubiak, 2035 Rue De St. Germaine, Austin, TX 78746
Vicinity: 9603 W. 133rd Ave., Cedar Lake, IN 46303
Legal Description: PT. NE. NE. 125X127.37FT. S.28 T.34 R.9 0.172 Ac
Tax Key Number(s): 45-15-28-228-011.000-014

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

1. Petitioner's Comments: Tim Kubiak, 9080 W. 129th Pl., this is an intention to fixing up the building to make it an office. The first step is a meets and bounds parcel piece of property, need one (1) lot subdivision. Pretty basic except for a couple items, building setbacks and some of the other requirements of a one (1) lot subdivision that are impossible to achieve because the building is existing. Discussed with Don Oliphant on what to do. Building is just going to be remodeled.
2. Town Engineer's Comments: Don Oliphant stated asked for any type of easements for drainage or utilities. Normally start setting setbacks as part of the platting process. The problem is this is an FAU route, which would require a fifty (50) foot setback. Will he need to show setbacks on the final plat. David Austgen stated no.
3. Building Department Comments: None
4. Commission's Discussion: David Austgen stated because this is the one (1) lot subdivision the plat process, we know that there are some sophisticated easements and cross access on the west side of the parcel. There is the alley that goes between the deteriorated King Medical Building and the building of Tim's brother. We need to look carefully at the plat and what it means in relationship to the easements. Intended uses can be fulfilled, but uses not cut off. Greg Parker stated there are utilities in the alley. Discussion ensued on easements and ownership of alley.

2. Telamon/GES – Site Plan

Owner: Hanover Community School Corp., 9520 W. 133rd Ave., Cedar Lake, IN 46303
Petitioner: Telamon/GES, 1000 E. 116th St., Carmel, IN 46032
Vicinity: 10120 W. 133rd Ave., Cedar Lake, IN 46303
Legal Description: Hanover Central Campus Sub Lot 1Ex. Fieldhouse & Spec. gym parcel
Tax Key Number(s): 45-15-21-451-005.000-014

Request: Petitioner is requesting a Site Plan

1. Petitioner's Comments: Dr. Bruce Breeden, 505 Buildings Drive East, Carmel, IN 46032. This is a NIPSCO program that was approved by the Indiana Regulatory Commission in the Spring of 2015. Where twenty (20) sites across the NIPSCO service area, in which the Hanover School Corporation was one of those sites selected. It is a maximum size, which is relatively small of a two hundred (200) kilowatt AC solar system. From the detention pond, immediately north slightly east of the current library. They will be inside the dry retention pond. The dry retention pond has an elevation of 752 at the north end and 746 on the south end. Proposing to build this on the north end. In addition to the current elevation, will be three and half (3 ½) feet above the elevation, so the actual solar panel will be at the elevation of 755.5. We will be three and half (3 ½) feet out of the anticipated hundred (100) year flood plain. Will collect the power that is created in a DC current and will use a piece of equipment called an inverter and will convert it to an AC then NIPSCO will tell us where we are going to interconnect with them. Tim Kubiak asked who utilizes the power made by these? Mr. Breeden answered NIPSCO. It is a fifteen (15) year contract, NIPSCO will pay a set amount for fifteen (15) years, after that the school corporation will own the solar array. At that point it would be their choice on what to do. It is warrantied for twenty-five (25) years they are scheduled to last thirty-five (35) years. Tim Kubiak asked if they have photos of what they look like installed. Mr. Breeden will supply pictures.
2. Town Engineer's Comments: Don Oliphant stated their concern with it in a dry detention basin that fluctuates from seasonal rain. Would the transformer power panel be higher then the water level. Mr. Breeden stated they have emergency switches. Concerns with fencing in the pond.
3. Building Department Comments: Tim Kubiak had concerns with electricity and water and with the agreement with the school and the life span. What is going to happen to it when it is obsolete?
4. Commission's Discussion: Greg Parker stated so what we are talking about is solar panels. Discussion ensued on if the panels would be visible from 133rd. John Kiepora stated concerns for how much water would be displaced. Mr. Breeden stated they are working with the Town of Lowell on a similar project at the wastewater site and another plan at the water treatment center. David Austgen asked if anyone is concerned on this tightly used, heavily occupied parcel that is zoned and platted for educational purposes, that in the middle of it your are planting an electrical utility plant. Perhaps need to require a variance of use or an amendment to the plat or plan or carving out another lot. If this were to be proposed by Mr. Henn in the vicinity of Bobb's Auto, wouldn't we have view of this, another use separate and distinct from the use presented. Michelle Bakker stated it is on the BZA. Mr. Breeden stated they have met with the science teachers and it will be used as a teaching station. Will come up twice a semester and conduct classes on how the electricity is created. Greg Parker stated we need more input. Discussion on location of panels and height ensued. NIPSCO picks the areas where they are to be placed. Mr. Breeden stated that once the Town agrees, it will be about 45 days with NIPSCO to do the finalized engineering. If not building by November 1, will wait till March/April.

3. Monastery Woods South – Performance Letter of Credit

Owner: MWD Development LLC, 2300 Ramblewood Drive, Highland, IN
Petitioner: MWD Development LLC, 2300 Ramblewood Drive, Highland, IN
Vicinity: Monastery Woods subdivision south of 129th Avenue

Request: Performance letter of credit in the amount of \$325,432.44 expires on October 29, 2016.

1. Petitioner's Comments: None
2. Town Engineer's Comments: Don Oliphant stated this is just a note, they have an existing letter of credit in that amount that is expiring October 29, 2016. They have been notified to see if they want to renew and extend or complete public improvements and try to get it inspected and accepted by that date. Have made the claim they want to

Town of Cedar Lake – Plan Commission
Work Session Minutes
September 7, 2016

get everything done by that date. Need inspections on the entire north infrastructure, some work to do before October.

3. Building Department Comments: None
4. Commission's Discussion: None

Update Item:

1. **Zoning & Lighting Ordinance – Update-** David Austgen stated this is being worked on internally by staff.

Public Comment: None

Adjournment: 8:03 p.m.

Press Session: Plan Commission Public Meeting – September 21, 2016 at 7:00pm

Chuck Becker

Diane Cusack

John Foreman

Greg Parker

John Kiepura

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.