



**TOWN OF CEDAR LAKE – PLAN COMMISSION
WORK SESSION MINUTES
OCTOBER 5, 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

Absent 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

Others Present: Michelle Bakker, Building Administrator

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 from September 21, 2016 Public Meeting

Deferred to October 19, 2016 Public Meeting

1. Petitioner's Comments: Tom Taylor stated paper work is to Don Oliphant.
2. Town Engineer's Comments: None
3. Building Department Comments: None
4. Commission's Discussion: None

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 from September 21, 2016 Public Meeting

Deferred to October 19, 2016 Public Meeting

1. Petitioner's Comments: Monte Watt stated this has been put on indefinite hold until we get the drainage problems solved. Would like to review plans for drainage changes. Have turned in the plan to the engineer. Since making the changes themselves, not sure what approvals they need. Did appear before the drainage board. Mr. Watt stated he is only planning to solve erosion problem.
2. Town Engineer's Comments: Don Oliphant stated he submitted a drainage plan for the installation of basically enclosing the twelve (12) inch storm sewer that runs on the rear part of lot 5. This plan only focuses on enclosing this system, putting in thirty (36) inch pipe and running it down the creek. That kind of solves that problem. The opinion would like to get from the Plan Commission members is do we consider that problem linked with all the water getting down to that cul-de-sac, because it doesn't address that. They are linked in my opinion, just a matter of letting him proceed with this without doing something. The run off coming from the north is causing the problems. Went out with Scott from Public Works, the only sure fire to address the problem is either cut some type of swale to get the water away from his driveway. His driveway is the low spot any water is going to head straight for his driveway. Not enough inlet capacity. This will enclose the system, but the problem is getting the water into the system. Possible solution is to switch out the inlets, not sure it would work. The expensive fix would be to repitch the driveway. Remove a lot of curb and pavement. It is a matter of whose responsibility it is, the town did accept the streets and the drainage improvements back in the early 2000's. This is primarily easements, but it is private property.
3. Building Department Comments: Tim Kubiak stated the project he brought in is going to solve the erosion problem that is happening currently, but it is doing zero to fix this problem. Essentially you are going to make this repair and then find should have put in a twenty-four (24)" pipe to catch the water before it got to that drop.
4. Commission's Discussion: Greg Parker stated so this does not correct anything for the gentlemen getting the flood water. When the newer subdivision's infrastructure fails, and we have to spend tax payer money to fix it is very aggravating, want to reconstruct old stuff, not on new stuff that should work. Would like to ask David Austgen what our liability is. Discussion on what would be accomplished at the end of the project ensued.

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 from September 21, 2016 Public Meeting
Deferred to October 19, 2016 Public Meeting

1. Petitioner's Comments: None
2. Town Engineer's Comments:
3. Building Department Comments: Tim Kubiak stated he has stopped at his house four times and has not gotten a response. Michelle Bakker stated he was sent a letter on September 29, 2016 that if he does not appear at the October 19, 2016 meeting he will be removed from the agenda.
4. Commission's Discussion: Greg Parker stated what would happen if removed from the agenda. Tim Kubiak stated he would be red tagged.

4. 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

Deferred to October 19, 2016 Public Meeting

1. Petitioner's Comments: Bruce Breeden and Tom Taylor from Hanover School. Have shown plans of adjacent property owners, have found a way that will allow to meet NEC code 690. 31a, that will not require a fence within the detention pond, to prevent obstruction of water flow. The concrete pad, will move it outside of the detention pond. Existing storm pipes are working with Haas Engineering and will include those on the plans. No intention of adding a road, will add all the development standards manual. Concerns with being over an acre, the project will be 40,000 square feet, so the permit from IDEM will not be required nor will the pollution prevention plan be required. Will meet SESC measure necessary and include that in the plans. Mr. Breeden brought pictures and explained if the solar array would be visible from 133rd and various other locations, including different car heights. Also brought pictures of what the panels look like. The primary purpose for this solar array is provide alternative energy to NIPSCO and their customers, but will be involved in the education process. After the 15 year lease, the school will have total decision making, they will have these options, if NIPSCO offers a second generation feed in tariff program, that can accept that, or they can ask us to remove the panels or own the panels and generate the power to their own school system. The point with that is that the panels degenerate at 3/10 to 5/10 of one percent per year, at the end of 15 years the panels are still generating 94% of the electricity they are producing in year one. The panels are 6' x 3', put one panel on top of the other at a 45 degree angle or stand the 6' up all the way at a 40 degree angle. Spacing of 11 ½ feet between rows. Three or four rows of panels.
2. Town Engineer's Comments: Don Oliphant stated he is seeing everything for the first time. Requested Mr. Breeden to send him electrical information.
3. Building Department Comments: Tim Kubiak asked Mr. Taylor what the school is planning to do after the 15 years. Mr. Taylor stated the intent was to bring alternative energy without spending any money. It is possible after the project to come back and ask to put more solar panels in.
4. Commission's Discussion: Discussion on what equipment the school would own after the fifteen year time period is up. Concerns with it turning into an eye sore down the road. Discussion on future expansion and parking at the school and storm water.

Update Item:

1. **Zoning & Lighting Ordinance – Update**-Working on it.
2. **Monastery Woods South – Performance Letter of Credit – Expires 10/29/16**-Don Oliphant meet with the developer a week ago to address some minor issues. There are some repairs they need to fix before they have to pay and public works is inspecting the storm sewer tomorrow. Tim Kubiak stated the plan is they have final acceptance by the time the bond expires, will not be impossible. Don Oliphant stated if they are not further along by next week, they will need to renew it to the end of the year. They did install a sidewalk on the northeast corner, to funnel any foot traffic into the subdivision and off of Parrish. They are making an attempt to get things done.

Public Comment: Jerry Wilkening had some questions about the Henn Storage Unit project. Confirming a forty (40) foot conservation easement and thirty (30) foot north would be the fence. Concerns with silt fence being in the conservation easement. He measured from his shed and does not think it is forty (40) feet. Don Oliphant stated it would be twenty-five (25) feet. Went out there and the silt fence is two or three feet away from the slope. The down slope crosses through the conservation easement, it gets tighter as you get to the west corner. Maybe slightly at that corner, but the hill starts traversing northeast and well outside the conservation easement. Tim Kubiak stated he will go out and measure it again.

Ruth Linz 10820 W. 131st Avenue, Cedar Lake, IN, was confused, assumed there would be real surveyors to define the property lines. There was going to be a list of do's and don'ts, can they be privy to that list.

Greg Parker stated the final document is being prepared at Mr. Austgen's office.

Greg Parker stated there was a conversation with the property owners of that project and they know they are not going to skirt the guidelines of what was approved. Will depend on staff to, the message has been sent if they skirt the guidelines we will deal with it. If we can prove they are not following the guidelines, have no problem with entertaining a motion to pull their approval and kill the whole thing.

Tim Kubiak stated he went and told them to move it so it was forty (40) feet off the line. Has explained this too him. Will have a surveyor go mark it.

Don Oliphant also clarified that if you see some brush clearing along the line, it doesn't mean they are in the easement.

Town of Cedar Lake – Plan Commission
Work Session Minutes
October 5, 2016

Adjournment: 8:13 p.m.

Press Session: Plan Commission Public Meeting – October 19, 2016 at 7:00pm

Jerry Wilkening

John Foreman

Richard Sharpe

Greg Parker

Diane Cusack

Chuck Becker

John Kiepura

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.